to conform to the provisions of this act and for no other purpose.

Numerous other allegations and expressions of opinion are noted. These allegations and expressions of opinion are of such nature that they are not provocative of serious thought and fail to merit the dignity of denial.

Unfortunately, the good citizens and sound businessmen from whom complaints have been received appear to have based their objections and complaints on the information gathered from this brief, which appears to have been widely publicized through the press and other media. Their expressions are no doubt based on this misunderstanding or misinterpretation of the proposed regulations.

It is our firm opinion that should these good people avail themselves of an opportunity to read and analyze the proposed regulations which were published in the Federal Register on March 11, they will more readily understand the misinterpretation and distortion which has been placed upon the proposals through information which has been disseminated from the office of a trade association which assumes to be a competitor of these mutual thrift institutions. We want you and your associates to know of the sincere desire of every member of this Board to fully comply with the spirit and letter of the statutes under which we operate, and that we are conscious of our responsibility to the public interest in the sound development of thrift throughout the Nation.

With assurances of high esteem, I am,

Yours very truly,

O. K. LAROQUE,
Board Member.

RECESS

Mr. MYERS. I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 14 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, April 27, 1949, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate April 26 (legislative day of April 11), 1949:

UNITED STATES DISTRICT JUDGE

HERMAN P. EBERHARTER, of Pennsylvania, to be United States district judge for the western district of Pennsylvania, vice Hon. Robert M. Gibson, retired.

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 26, 1949

The House met at 12 o'clock noon.

Rev. Donald C. Means, rector, St. Luke's Episcopal Church, Altoona, Pa., offered the following prayer:

Our Father, God, in whom we live and move and have our being, we, Thy needy creatures, render Thee our humble praises for Thy preservation of us from the beginning of our lives to this day. We prayerfully beseech Thee, as for the people of these United States in general, so especially for the President of our Nation and this House of Representatives assembled, that Thou wouldst be pleased to direct and prosper all their consultations, to the advancement of Thy glory, the good of Thy church, the safety, honor, and welfare of Thy people, that all things may be so settled and ordered by their endeavors upon the best and surest foundations, that peace and happiness, truth and justice, religion and piety may be established among us for all generations. And Thou who hast given us this good land for our heritage, grant that we may always be a people mindful of Thy favor and glad to do Thy will. Endue with the spirit of wisdom those to whom in Thy name the authority of government is entrusted, that there may be justice and peace at home, and that, through obedience to Thy law, we may show forth Thy praise among the nations of the earth.

In times of peace and prosperity fill our hearts with thankfulness, and in the day of adversity suffer not our trust in Thee to fail; for the sake of Him who died and rose again, came among us as One that serveth, and ever liveth to make intercession for us, Jesus Christ, Thy Son, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 900. An act to amend the Commodity Credit Corporation Charter Act, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 1169) entitled "An act for the relief of Mrs. Marion T. Schwartz," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCARRAN, Mr. O'CONOR, and Mr. WILEY to be the conferees on the part of the Senate.

The message also announced that the Vice President had appointed Mr. JOHNSTON of South Carolina and Mr. LANGER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 49–10.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 1271) entitled "An act for the relief of Carl E. Lawson and Fireman's Fund Indemnity Co.," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCARRAN, Mr. O'CONOR, and Mr. WILEY to be the conferees on the part of the Senate.

TERMINATION OF CONSTRUCTION OF 65,000-TON SUPERCARRIER

Mr. VINSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON. Mr. Speaker, last Saturday the Honorable Louis Johnson, Secretary of Defense, made a courageous and a momentous decision. He ordered the termination of the construction of the 65,000-ton so-called supercarrier.

In years past I helped build a two-ocean Navy. I am proud to think that was correct, for we need a two-ocean Navy to fight any war that comes.

Now we know that if war should ever come again it will be a struggle with a land power.

It is simply a matter of the proper allocation of war missions between the Navy and Air Force.

It is the business of the Air Force to use long-range bombers in time of war. And yet, this carrier was to accommodate such long-range bombers.

We cannot afford the luxury of two strategic air forces. We cannot afford an experimental vessel that, even without its aircraft, costs as much as 60 B–36 long-range bombers.

We should reserve strategic air warfare to the Air Force.

And we should reserve to the Navy its historic role of controlling the seas. I do not now—and I never will—advocate depreciation of our Navy.

Secretary Johnson is to be commended both for the nature of his decision and for moving promptly to resolve this important matter.

The SPEAKER. The time of the gentleman from Georgia [Mr. VINSON] has expired.

CALENDAR WEDNESDAY

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday of this week may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

COMMITTEE ON BANKING AND CURRENCY

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

THE UNITED STATES EMPLOYMENT SERVICE

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, on November 15, 1946, the United States Employment Service, under the Secretary of Labor, was transferred to the State agency in each State designated under section IV of the act of Congress approved June 6, 1933, as amended, as the agency to administer the State-wide system of public employment offices in cooperation with the United States Employment Service.

This bill brings this service back to the Federal Government and places it in the United States Department of Labor, where it was during the war. It was found necessary during the war to have a coordination of our employment service. The United States Employment Service made an enviable record in furnishing manpower during the war. It rendered a service that has not been equaled since its return to the various States and cannot be equaled by the employment services of the various States. There is as great a demand for coordination and for a unified employment system today as there ever was. The same high degree of efficiency is as desirable now as it was during the war. This service simply cannot be operated efficiently when it is necessary to operate as 48 separate agencies; when its employees are in many States under the spoils system. This bill would return these employees to the civil service of the United States Government and to the benefits of such civil service which many of them enjoyed in years previous.

The funds for this service are paid in their entirety by the Federal Government.

Experience has shown us that in industrial and farm labor problems State lines are not respected. Many of our labor problems and labor markets straddle State lines and it is illogical to have a division of authority in the handling of these labor problems.

Farm labor is by its very nature interstate in character.

A careful study and analysis of this problem leads me to the conclusion that the only sensible, satisfactory solution to these employment problems, lies in the return of the employment service from the 48 States to the United States Government.

EXTENSION OF REMARKS

Mr. DOYLE asked and was given permission to extend his remarks in the Appendix of the RECORD and include extraneous matter.

Mr. BUCHANAN asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article entitled "No Depression Yet" by George Soule.

Mr. TRIMBLE asked and was given permission to extend his remarks in the Appendix of the RECORD and include a report.

Mr. RIVERS asked and was given permission to extend his remarks in the Appendix of the RECORD in five separate instances and in each to include extraneous matter.

Mr. O'HARA of Illinois asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter from the Honorable Robert Jerome Dunne, judge of the Juvenile Court of Cook County, Ill.

Mr. TAURIELLO asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. WILSON of Oklahoma asked and was given permission to extend his remarks in the Appendix of the RECORD relating to a bill he introduced yesterday.

Mr. BURKE asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article from the Saturday Evening Post; also a letter from the mayor of the village of Rossford, Ohio, on the subject of pollution.

Mr. LUCAS asked and was given permission to extend his remarks in the Appendix of the RECORD and include a comparison in short form between his bill, H. R. 4272, and the Lesinski bill, H. R. 3190.

Mr. BARTLETT asked and was given permission to extend his remarks in the Appendix of the RECORD and include a resolution.

Mr. WAGNER asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Cincinnati Times-Star entitled "Out of Tune."

Mr. SADOWSKI asked and was given permission to extend his remarks in the Appendix of the RECORD in six separate instances and in each to include extraneous matter.

Mr. ROONEY asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from yesterday's Evening Star.

Mr. PRICE asked and was given permission to extend his remarks in the Appendix of the RECORD in two separate instances and in each to include a newspaper article.

Mr. LANE asked and was given permission to extend his remarks in the Appendix of the RECORD in four separate instances and to include in each extraneous matter.

Mr. DAGUE asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Coatesville (Pa.) Record.

EXTRAVAGANT SPENDING

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, today the fliers who have been in the air for 6 weeks, or 1,008 hours, will land at Fullerton, Calif. That is a wonderful feat.

How grand it would be if this present administration, the President, and Congress would soon come to earth; stop spending us into bankruptcy. For 18 years it has been the most extravagant, incompetent, reckless administration in the history of our country or the world. If anyone ever was in the air, it has been this administration. This year they are spending at the rate of over $40,000,000,000. In the 456 years since Columbus' discovery of America the value of all the gold mined in the world has been about $40,000,000,000.

Do you not think it is time to stop? Land, get your feet on solid ground. With Secretary Brannan's ridiculous agriculture program which will cost additional billions, and the President's national health program brought here yesterday adding six or seven billion more, and all the other things this administration has proposed recently costing many more billions of dollars, do you not think it is time for us to get down to earth? Congressmen, we need more business in Government, and less Government in business. Come down to earth, get your feet on solid ground, in the name of all that is sacred. For the continuation of this Government of ours, come to earth. Get out of the clouds of radical spending, come down to earth, land on a solid foundation of honesty, integrity, and good, sound judgment for less government in Washington and more government in the States and the local communities where the people know our people and what is best for them and our country. God save America before it is too late.

EXTENSION OF REMARKS

Mr. RICH asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Bristol Courier of Tuesday, April 19, 1949, entitled "Taxes Versus Plums."

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the Appendix of the RECORD and include two resolutions.

Mr. CANFIELD asked and was given permission to extend his remarks in the Appendix of the RECORD and include a newspaper article.

Mr. DOLLIVER asked and was given permission to extend his remarks in the RECORD and include a statement from the Iowa Development Commission.

Mr. FARRINGTON asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. LODGE asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances and include extraneous matter.

Mr. PATTERSON asked and was given permission to extend his remarks in the Appendix of the RECORD and include a resolution adopted by the Mothers' Group of the Torrington Council of Catholic Women.

Mr. SANBORN asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter.

Mr. JOHNSON asked and was given permission to extend his remarks in the Appendix of the RECORD and include two short speeches.

Mr. ANGELL asked and was given permission to extend his remarks in the Appendix of the RECORD and include House Joint Memorial No. 3 of the Oregon Legislature.

Mr. NORBLAD asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances and include two editorials.

COMMUNISTIC ACTIVITIES IN CHINA

Mr. HALE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. HALE. Mr. Speaker, this morning's papers carry the story of Communist soldiers entering our embassy in China and placing our ambassador un-

der what amounts to house arrest. There is a hint that the embassy property will be redistributed to the people. All this, I presume, will be justified in the State Department as an aspect of agrarian reform.

I wonder if our State Department is really enjoying the consequences of this policy of waiting for the dust to settle in China? When it has settled it may be found to have settled on the ruins of millions of dollars of American property and on the corpses of many American citizens whose only offense was to love their homes and work in China. They will lie in the good earth of China along with those American soldiers who fell in the faith, now betrayed, that an independent China mattered to us. The missionaries may legitimately expect the treatment accorded Cardinal Mindszenty.

EXTENSION OF REMARKS

Mrs. ST. GEORGE asked and was given permission to extend her remarks in the RECORD and include a broadcast by Mr. Henry J. Taylor.

Mr. McDONOUGH asked and was given permission to extend his remarks in the RECORD in three instances and include in each extraneous matter.

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD in three instances and include in each extraneous matter.

Mr. COLE of New York (at the request of Mr. JENKINS) was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. JENKINS asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Cincinnati Inquirer.

Mr. BIEMILLER asked and was given permission to extend his remarks in the RECORD in five instances and include certain newspaper material and also a radio address by Mr. George Meany, secretary-treasurer of the American Federation of Labor.

Mr. PATMAN asked and was given permission to extend his remarks in the RECORD in three instances and include certain statements and excerpts.

Mr. McCORMACK, Mr. DONOHUE and Mr. HORAN asked and were given permission to extend their remarks in the RECORD.

Mr. DINGELL asked and was given permission to extend his remarks in the RECORD and include two leaflets by Mr. Nicholson, Washington attorney, and another pamphlet covering the principles of American Government.

COST OF VETERANS' PENSION BILL A TIP TO THE WAITER COMPARED WITH THE TRILLION TWO HUNDRED AND FIFTY BILLION FOR SOCIAL-SECURITY PROGRAM

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, just a few days ago we had the soldiers' pension bill before the House. We heard members scream about the billions it would cost.

I wish you could see the information we have on what this proposed social-security program sponsored by the enemies of the veterans' pension bill will cost. By the year 2000 this over-all social-security program that is now being proposed will cost $1,250,000,000,000. The World War I veterans will not be taken care of under it. They will be turned out to gnaw the corncob in their old days, especially the ones on the farm.

Then we find that by the year 1990, so the Social Security Board tells us, the cost of that social-security program will be between $15,000,000,000 and $18,000,000,000 a year. That means a cost of the value of 100,000,000 bales of cotton a year, or as much cotton approximately as is produced in 10 years.

My God, where is this country headed?

The SPEAKER. The time of the gentleman from Mississippi has expired.

CALL OF THE HOUSE

Mr. CANFIELD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 78]

Allen, La.	Goodwin	Noland
Andrews	Gregory	O'Konski
Bates, Ky.	Hall,	Plumley
Bennett, Mich.	Edwin Arthur	Powell
Bolton, Ohio	Hart	Reed, Ill.
Bulwinkle	Hays, Ark.	Regan
Carroll	Hedrick	Richards
Celler	Heller	Sabath
Clevenger	Hill	Simpson, Pa.
Cox	Hobbs	Smathers
Cunningham	Hoeven	Smith, Ohio
Curtis	Jenison	Taylor
Davies, N. Y.	Jennings	Thomas, N. J.
Davis, Tenn.	Judd	Thompson
deGraffenried	Kearney	Vursell
Doughton	Kunkel	Walsh
Engel, Mich.	LeCompte	Whitaker
Fugate	McCulloch	White, Idaho
Gamble	Marcantonio	Wickersham
Garmatz	Multer	
Gilmer	Murphy	

The SPEAKER. On this roll call 372 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

NATIONAL LABOR RELATIONS ACT OF 1949

Mr. MADDEN. Mr. Speaker, I call up House Resolution 191 and ask for its immediate consideration.

The clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H. R. 2032) to repeal the Labor-Management Relations Act, 1947, to reenact the National Labor Relations Act of 1935, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 8 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield myself 13 minutes. I shall later yield 30 minutes to the gentleman from Massachusetts [Mr. HERTER].

Mr. Speaker, this Congress is about to consider a bill, H. R. 2032, which involves the most important legislation that will be presented to Congress during the eighty-first session.

H. R. 2032 endeavors to undo our greatest legislative mistake since the days of the Volstead Prohibition Act. H. R. 2032 not only calls for the repeal of the Labor-Management Relations Act of 1947, but provides for constructive changes in the Wagner National Labor Relations Act of 1935, which it reenacts. These changes in the original Wagner Act curtail and prohibit jurisdictional disputes and secondary boycotts. It also would set up machinery which encourages collective bargaining and arbitration of disputes arising out of the interpretation of contracts between labor and management. H. R. 2032 improves the Wagner Act by providing for legislation concerning strikes in vital industries affecting the public interest. Under this provision, it does not jeopardize or endanger the basic rights of labor unions or our democratic freedoms as does the Taft-Hartley Act on the same provision. The underlying principle involved in this new labor legislation is the promotion of free collective bargaining between employer and employee.

HARTLEY COMMITTEE HEARINGS

The Rules Committee held extended sessions on four different days, hearing testimony from members of the House Labor and Education Committee regarding this bill. I have read the minority report submitted and signed by the Republican members of the Committee on Education and Labor. The first five pages of this report are taken up criticizing the chairman of the Labor Committee and complaining that they received unjust treatment during the hearing. This will be part of the Republican strategy during this debate to take our minds off the real issue. Since the Republican committee members are relying on the smoke screen of committee procedure to muddy the thinking on the labor restrictions in the Taft-Hartley law, I think the new Members of the Eighty-first Congress should know what happened in the Hartley Labor and Education Committee 2 years ago.

At that time this Congress was made the victim of the best organized and most highly financed legislative lobby in the history of Washington. I was a member of the House Education and Labor Committee 2 years ago and personally attended 5 weeks of public hearings. Most of these hearings I believe were conducted primarily to send out antiunion propaganda and soften the minds of the American public for the approach of the

Taft-Hartley law. Whenever a celebrated-name witness appeared to present antilabor testimony the caucus room in the old House Office Building was literally cluttered with klieg lights, television apparatus, radio broadcasting machinery, recording equipment, and special installation of tables to accommodate reporters and radio commentators. Very few of us realized 2 years ago that the transforming of the Labor Committee hearing in the House Caucus room into a Hollywood movie lot was just part of the well-organized propaganda of the National Association of Manufacturers and their subsidiaries to undermine public opinion against organized labor in America.

The arbitrary tactics which existed during the hearings continued after the 5 weeks of open hearings were closed. Then the majority members went into secret session and drew the iron curtain against most of the minority members of the Education and Labor Committee. For almost 2 weeks, Chairman Hartley and most of the Republicans members were closeted with Theodore Eiserman, attorney for Chrysler Corporation, Attorney Jerry Morgan, and others, in the drawing up of the most complicated, deceptive, and highly involved piece of legislation that has passed the House in congressional history. Finally, after almost 2 weeks of secret meetings, Chairman Hartley officially called a meeting of all the members of the House Education and Labor Committee and immediately asked that this 76-page typewritten legal document be passed by the committee at that meeting. By reason of strenuous protest on the part of myself and other members who were not asked to sit in with the legal experts, Chairman Hartley postponed the vote on passage until the following day. The following day this complex document was railroaded through the committee section by section without any opportunity of study for possible amendments by a considerable number of the committee members.

Never in my observation of committee procedure was a piece of legislation ever born under such kangaroo-committee tactics as launched the origin of the Taft-Hartley Act on the floor of this House.

PARTY RESPONSIBILITY

Anyhow, the unfortunate procedure inaugurated by Chairman Hartley 2 years ago, in conducting the hearings and deliberations of the Labor Committee paralleled the type of legislation which finally resulted from such an ignoble beginning. Two years ago, during debate on this floor members of the House Labor Committee, including myself, protested against the procedure of the committee. The only defense of the actions of Chairman Hartley's committee was brought forth by Congressman CLARENCE BROWN, of Ohio. On page 3443 of the 1947 CONGRESSIONAL RECORD, Congressman BROWN'S remarks contain the following quote:

> The Republican Party now has the responsibility for preparing and bringing legislation to this floor for action. That is exactly what this committee has done, as I understand it.

I have a great respect for Congressman BROWN'S opinion, but evidently from his remarks, he was interpreting that the November election of 1946 had given the Republican Party a mandate for the Taft-Hartley law. If Congressman BROWN was correct 2 years ago, certainly the Democratic members of the Labor Committee and the Eighty-first Congress, after the verdict of November 1948, have the responsibility for preparing and bringing legislation to this floor for action that will repeal the Taft-Hartley law.

DEMOCRATIC PLATFORM

The Members who were on the floor before the adjournment of the regular session last summer, remember my good friend and Hoosier colleague Congressman HALLECK, then the majority leader, challenging and daring President Truman and the Democratic platform to make the Taft-Hartley Act an issue before the American people. That and similar challenges by Republican statesmen were accepted by the President and the Democratic Party. The people spoke emphatically last November.

WAGNER ACT NEVER GIVEN FAIR TEST

I think it is well to very briefly review labor legislation since World War I.

Every Member recollects the industrial disputes after World War I and during the 1920's. That period was shadowed with strikes involving bloodshed and loss of life and property. During this period, union labor and the wage earners were unsuccessful in making any progress. Low wages, poor working conditions, chaos, and bitterness hampered production and was one of the reasons for the deplorable depression of 1929 to 1933.

The Wagner Act was passed in 1935. Prominent lawyers told their clients that the act was unconstitutional. Employers acted accordingly. In 1937 the Supreme Court finally decided that it was constitutional. Until then the Wagner Act could not be enforced. During the next 2 years, the same lawyers advised their employer-clients as to the ways and means of evading, obstructing, and violating the Wagner Act.

Then came the war period. With the end of the war, as after every war or serious dislocation, we had a period of readjustment. In changing from a war economy to a peacetime economy, we naturally had labor management difficulties and disputes. During the Eightieth Congress, propagandists cleverly and adroitly dramatized this situation, as I have already outlined, and passed the Taft-Hartley law.

The history of the Wagner Act reveals that at no time has it been given a just and honest test over a period of time.

TAFT-HARTLEY ANTILABOR

Many statements of generality have been made pro and con regarding the Taft-Hartley law. It is my earnest wish that every Member of Congress, before he votes on this legislation, read, line by line, paragraph by paragraph, the complex and involved provisions set out in the Taft-Hartley law.

A short time ago, Business Week magazine, which is recognized as the voice of big business in this country, in an article on the labor legislation, stated in its column:

The Taft-Hartley law has failed—it went too far. It crossed the narrow line separating a law which aims only to regulate, from one which could destroy.

A Member of Congress, in voting on this legislation, should not take the word of any commentator or propagandist, but a close study of this law will reveal that Chairman Hartley was correct 2 years ago during the closing hours of debate when he admitted on the floor of this House that "everything that this bill (Taft-Hartley law) contains does not meet the eye."

A close examination of the Taft-Hartley law will present its one-sided restrictions on labor, as set out in its various provisions dealing with: First, injunctions; second, union employer responsibility; third, boycotts; fourth, jurisdictional disputes; fifth, penalties against striking employees; sixth, damage suits; seventh, arbitration of disputes over interpretation of existing contracts; eighth, union security; ninth, general counsel for board procedure; tenth, check-off; eleventh, health and welfare funds; twelfth, free-speech provisions; thirteenth, restrictions on particular groups of employees; fourteenth, complex system of elections; fifteenth, political expenditures; and sixteenth, outlawing closed shops. A study of these items will reveal that the Taft-Hartley law is a union-busting device.

WOOD BILL

Not in my memory has legislation been filed with such mysterious origin as the Wood bill. Two so-called Wood bills have been presented. The first was H. R. 3228 and the second is H. R. 4290.

Congressman WOOD appeared before the Rules Committee in behalf of the first. His knowledge of its content was very limited, according to his own testimony. Laudatory statements were made in the Rules Committee for Congressman Cox and others regarding the first Wood bill. He said that it contained the recommendations of the so-called watch dog committee.

When I was home during the Easter recess, I read in a magazine that the first Wood bill, H. R. 3228, was withdrawn and a second Wood bill, H. R. 4290, was substituted. The article further said that the first Wood bill was more antilabor than the Taft-Hartley law, but that some Republican Congressmen revolted and the gentlemen from Georgia, Congressmen Cox and WOOD, consented to file another Wood bill and make it more palatable to some of the Republican rebels.

Why is the Republican leadership insisting that the good old Republican names like Taft and Hartley be erased from the National Labor Relations Act of 1947?

I ask why some of the Republican members of the Labor Committee have not the courage to lend their name to the so-called Wood bill? Is it because the Grand Old Party suffered such a defeat last November with two grand old Republican names from Ohio and New

Jersey labeling antilabor legislation? I ask why the Republicans are now disclaiming any authorship of this 1949 Taft-Hartley Act known as the Wood bill? Ohio, New Jersey, Pennsylvania, New York, and most northern Republicans now want to sever all connections with Taft-Hartley and send it as far down south of Mason and Dixon's line as possible. Why pick on the State of Georgia? Has not Georgia suffered enough back through the years? It went through the reconstruction period, the Ku Klux Klan, two governors at the same time, and now the Republican leaders are trying to dump the Taft-Hartley law—lock, stock, and barrel—onto its already overburdened shoulders.

No; you cannot change the Taft-Hartley law by merely changing its name to the Wood bill. You cannot wrap limburger cheese in a beautiful pink, green, and black paper and conceal the odor.

NATIONAL ASSOCIATION OF MANUFACTURERS

Most Members remember reading in the newspapers in the fall of 1947 when Earl Bunting, president of the National Association of Manufacturers, admonished the NAM members not to be too hasty in taking advantage of the powers given them under the Taft-Hartley law. Evidently Mr. Bunting did not want the sixty-odd million wage earners in America and the 15,000,000 union members in America to realize its restrictive provisions until after the election in November 1948. I do not know whether Mr. Bunting has issued any orders to his members since November 2, 1948, but the American people on that day issued an order to the Congress of the United States. One hundred and three Members who voted for the Taft-Hartley law in the Eightieth Congress are not present today. In my own State of Indiana, 9 of our 11 Members in the Eightieth Congress voted for the Taft-Hartley law—6 of them are not in the Eighty-first Congress.

The Taft-Hartley law, as it is now written, must be repealed in this session of the Eighty-first Congress. The issues were drawn last November and the people spoke at the polls—let the Congress carry out the mandate.

Mr. HERTER. Mr. Speaker, I yield myself 8 minutes.

Mr. Speaker, the rule which is presently under discussion is an open rule. It will make in order a consideration of the Lesinski bill but will permit every Member of the House to present germane amendments which can then be acted upon by the House as a whole.

I do not believe that any bill on which a rule has been asked in recent years has been as fully discussed as was this bill. The Rules Committee devoted the better part of 5 days to its consideration. The Rules Committee did this because the chairman of the Committee on Education and Labor, in his opening remarks, requested a closed rule. It was soon apparent from the testimony given that this request for a closed rule, which would have allowed no Member to offer an amendment on the floor of the House, followed quite logically the procedure which had been pursued within the committee itself.

The Lesinski bill, while bearing the name of the chairman of the Committee on Education and Labor, was drafted in the Government departments. Hearings on it were held by a subcommittee, but never by the full committee. The subcommittee voted out the bill exactly as it was originally drafted. The full committee then accepted the recommendations of the subcommittee without even reading the bill section by section so as to allow different members of the committee to speak for it or even to offer amendments. In other words, the gag rule was applied in committee. Before debate on this matter has been concluded, you will undoubtedly hear a great deal more with respect to the proceedings within the committee itself.

I am glad that the rule now under consideration is an open rule. If adopted, it will allow the House of Representatives to work its will in a democratic way. It will allow of sufficiently long debate so that every Member should have a much better appreciation of the great issues that are involved in trying to write any labor-management legislation.

When general debate begins on the Lesinski bill, members of the committee will tell you in detail just what the Lesinski bill would do. I shall content myself with but one brief statement in regard to the Lesinski bill. It repeals every part and every provision of the Taft-Hartley law and reenacts the Wagner law with some amendments, none of which were found in the Taft-Hartley law. In other words, it states legislatively that there was not a single provision of the Taft-Hartley law which was worth retaining—a statement insulting to the many Members of this House who, in good faith, voted for that law. No one has ever claimed that a perfect labor-management relations bill could be written or that any bill could not be perfected by amendment. But an assertion that a law which has been on the statute books for nearly 2 years and which has, in most respects, operated extremely fairly to both labor and management must be destroyed in toto is clearly the product of heavily prejudiced minds.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. HERTER. I shall be pleased to.

Mr. HALLECK. I think it might be worthy of note that on the final passage of the measure 106 Democrats voted for it and 71 against it; that the final vote was 331 for the bill, 83 against. A majority of the present Members of the House voted for the bill.

Mr. HERTER. I thank the gentleman for his contribution.

From the evidence presented before the Rules Committee, it was obvious that many members of the Committee on Education and Labor were anxious to benefit by the hearings that had been held in subcommittee and by the public testimony which has been given over the last 18 months by representatives of labor, management, and the public with respect to the Taft-Hartley law. They were apparently convinced that there were a number of changes which should be made in the existing law. This conviction was derived mostly from the testimony of leaders of organized labor. As these members were precluded from offering amendments to the Lesinski bill, they drafted a separate piece of legislation which I understand will be offered by the gentleman from Georgia, Mr. WOOD, a member of the Committee, as a substitute for the Lesinski bill.

In the event that such a motion is made, then the procedure before this House would be as follows: The substitute bill would be in the nature of an amendment to the Lesinski bill. Perfecting amendments to any part of that amendment could be offered, thus making the word substitute an effective vehicle on which the House could work its will. After every perfecting amendment which was offered had been disposed of, then a single vote would come on accepting the main amendment. If accepted in committee, the Committee would then rise and the amendment could be roll called, but none of the perfecting amendments could be voted upon separately.

In the event that the amendment should fail of adoption in the Committee of the Whole, the Lesinski bill itself would then be read section by section for amendment. Anyone who is familiar with the Lesinski bill must know that it is so drafted as to make any substantive amendment virtually impossible. To insert even the least controversial features of the Taft-Hartley law would require at least 60 printed pages of amendments.

I have examined with great care the substitute bill to which I referred, and which I hope will be offered. It is a good bill. While it repeals the Taft-Hartley law, it nevertheless reenacts many of its principal provisions and incorporates a number of amendments. Each one of these amendments is intended to meet a specific objection of labor leaders which, in the opinion of members of the Committee on Education and Labor, were valid objections. It could be termed neither a promanagement nor a prolabor bill. It is a sincere effort to legislate in a spirit of fair play to both sides while, at the same time, keeping the public interest constantly in mind.

Let me examine briefly the principal changes which it makes in the existing law and the objections posed by labor leaders which these changes are intended to correct.

First, leaders of organized labor have severely criticized, as being too cumbersome and seeking to undermine their representatives, the provisions of existing law which prohibit unions from negotiating for a union shop contract without being first authorized to do so through an election among the employees involved. These leaders were also extremely critical of the provisions that required approval by a majority of the employees eligible to vote rather than a majority of those voting. The Wood substitute has met both of these criticisms and proposes to do away with the union-shop authorization election entirely. Thus under the Wood substitute, labor organizations will be able to negotiate union-shop contracts without specific prior authorization of the employees involved.

Second, leaders of organized labor both in the Senate hearings and in the

House hearings, as well as in the press, have been very critical of the union-shop provisions of the present law which make nonpayment of dues the sole ground on which unions can demand the discharge of an employee who has been expelled from the union. They have pointed out that it is illogical for the Taft-Hartley Act to attempt to make unions liable in damages for breach of their contracts, while at the same time denying to them the only means that they have of disciplining members who engage in strikes and other activities in violation of union contracts. Moreover, unions have pointed out that even if they expelled a member because he is a Communist, they still cannot compel the employer to discharge that individual. Both of these criticisms of the existing law are met in the Wood substitute, and the Wood substitute specifically authorizes unions to compel the discharge of employees who have been expelled from the union for engaging in wildcat strikes and employees who have been expelled from the union for being members of the Communist Party or other subversive organizations.

I might add by way of interpolation, Mr. Speaker, that the statement made by the American Federation of Labor in its analysis of the Wood bill so far as this particular provision is concerned contained a number of complete misstatements of fact.

Third. Union leaders have contended that the present law completely outlawed the union hiring hall and prohibited an employer from recruiting workers through a union hiring hall. In connection with this criticism they have pointed out that the union hiring hall has been established and utilized for years in various industries and that the Taft-Hartley Act had the effect of disrupting this long-established institution. The Wood substitute meets this criticism by providing that it is not to be considered an unfair labor practice for an employer to notify a union hiring hall when he has jobs to be filled.

Fourth. Labor union leaders have presented much testimony designed to show that the secondary boycott provisions of existing laws are unfair, because they require union members to "scab"—as unions call it—on their own brother members. The Wood substitute meets this criticism by permitting employees in the same local to strike against goods being produced for the account of an employer against whom other members of the local are striking.

Fifth. Labor union leaders have pointed out that under the present law if employees strike in violation of or in disregard of the requirement that unions give 60 days' notice of their intention to negotiate changes in contracts, the employees lose all of their rights under the act, whereas if employers disregard or violate such notice requirements they are not penalized in any way. The Wood substitute abolishes this apparent disparity of treatment between employees and employers.

Sixth. One provision of the present law against which the leaders of organized labor directed particular criticism is the provision stating that employees on strike who are not eligible to reinstatement shall not be eligible to vote in representation elections. These leaders contended that this provision coupled with other provisions of the act could be used by employers to bust unions. The Wood substitute meets this criticism made by union leaders, and specifically provides that employees on strike can vote in representation elections if they have not been validly replaced for 90 days or more by a permanent replacement. Thus under the Wood substitute an employer would not be able to bust a union by employing strikebreakers rather than bona fide employees to replace strikers.

Seventh. Union leaders criticized the Communist disclaimer provisions of the present law on the ground that it was unfair to apply such provisions to them and not impose the same requirements on employers. The Wood substitute meets this criticism by requiring that officers of employers as well as officers of labor organizations file affidavits disclaiming Communist affiliation as a condition of being able to invoke the act.

Eighth. Labor organizations very severely criticized the provisions of the present law which compel the general counsel of the Board to apply for injunctions against unions in secondary-boycott cases and contain no provision for mandatory injunctions against employers. The Wood substitute meets this criticism by abolishing the mandatory injunction and giving the general counsel discretion to apply for temporary injunctions either against employers or unions whenever he thinks that it is necessary to do so to prevent irreparable injury.

Ninth. Labor-union leaders were extremely critical of the provisions of the present law that required an election to be held among employees on the employer's last offer in disputes involving the national health and safety.

In one case the union directed its members to boycott such an election, and as a result no votes were cast whatsoever. The Wood substitute meets this criticism of the existing law by abolishing the election on the employer's last offer.

These proposed changes I have enumerated which are made by the Wood substitute are all made in a sincere effort to meet justified union criticism of the present law and to achieve an evenly balanced labor-management policy. All of the changes are important. There are doubtless other changes that Members of this body will wish to propose. I want to emphasize again that any change or changes in the present law can be proposed, using the Wood substitute as a vehicle. And I also want to emphasize that virtually no change in the present law except outright repeal of every last provision can be made using the Lesinski bill as a vehicle.

There is one criticism of the present law that union leaders have made which is met only partially by the Wood substitute. Union leaders violently oppose all provisions authorizing injunctions against union activities, whatever they may be and whatever form they may take. With the present power of unions, it is not possible to do away with injunctions entirely and still protect the public interest. Even the Lesinski bill provides for injunctions against labor unions in secondary-boycott cases and jurisdictional strikes, so the Lesinski bill itself recognizes the need for the injunctive remedy. The Wood substitute continues, however, a provision of the existing law which the Lesinski bill omits—namely, the provision authorizing the President to seek injunctions to protect the national interest when the national health and safety is imperiled. I do not believe that it is in the public interest to do away with this provision of existing law, and I do not think that the abuses of the injunction power in the past, when the injunction was used as a means of enforcing yellow-dog contracts, is any argument for abolishing the injunctive remedy for protecting the public from irreparable damage. The concessions made by the Wood substitute are all in the public interest.

Mr. MADDEN. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. HERTER. Mr. Speaker, I yield the gentleman from Virginia [Mr. SMITH] five additional minutes.

Mr. SMITH of Virginia. Mr. Speaker, today we are beginning the consideration of what is probably one of the most important pieces of legislation that we shall have during this Congress. There has been a good deal said about how it was handled in the Labor Committee now and how it was handled in the Labor Committee when the Taft-Hartley bill was under consideration, about arbitrary conduct, and so forth. Well, I am not concerned with that. I think my friend, the gentleman from Michigan, Mr. PAUL SHAFER, could tell you a little anecdote that would probably explain what is going on and who is doing it. The question that we are to consider is the question of the merits of this measure.

Now, the Committee on Rules has granted an open rule for the consideration of this bill, and by an understanding and agreement before the rule was reported, when the first section of the Lesinski bill is read, it will be in order and the gentleman from Georgia [Mr. WOOD] will offer as a substitute for that bill the so-called Wood bill. That is going to give the Members of this House the opportunity to vote on the two philosophies of labor legislation, one represented by the old National Labor Relations Act which, by pressure of public opinion over the years, was repudiated 2 years ago. The Lesinski bill restores all of the evils of the old National Labor Relations Act. The Wood bill is based upon the theory of the Taft-Hartley Act and will give those of you who were in the Eightieth Congress and voted for the Taft-Hartley Act, and who constitute a majority of the present membership of this House, an opportunity of voting on the Wood bill to decide whether you were wrong then or whether you are wrong now. So, this method presents to you the two theories of labor legislation, and I want, in these brief few moments that I have, to tell you something about what the various bills do.

I want you to know that if you vote against substituting the Wood bill and vote for the Lesinski bill, that there are certain important things that you are repealing that a majority of you voted for 2 years ago. The Lesinski bill will repeal that provision which separated the supervisory forces from the laboring forces in collective bargaining. If you vote for the Lesinski bill you will vote to repeal the free-speech clause contained in the Taft-Hartley Act. The Taft-Hartley Act, strange as it may seem, reiterates the constitutional provision that everybody shall have the right of free speech. Before that an employer could not say a word to his employee about labor relations.

If you vote for the Lesinski bill you vote to repeal the constitutional privilege of free speech.

If you vote for the Lesinski bill, you vote to repeal the action you took 2 years ago in prohibiting secondary boycotts and jurisdictional strikes. The Lesinski bill retains only those prohibitions against jurisdictional strikes and secondary boycotts where they involve a dispute between two labor unions. The broad field of secondary boycotts and jurisdictional strikes is not touched. That is repealed by the Lesinski bill.

If you vote for the Lesinski bill you will be voting to restore the old featherbed practices, namely, the right of a labor union to force an employer to pay for work that is not to be performed. If you believe in that, you vote for the Lesinski bill.

If you vote for the Lesinski bill, you vote to repeal the right of an employer to petition for an election to determine with whom he ought to bargain. That is a surprising thing, but under the National Labor Relations Act two unions can fight interminably over the right to represent the employees in a factory and the employer does not have the right to go before the Labor Board and say, "Have an election and settle this thing so that I can go on in my business." That is what you are going to repeal if you vote for the Lesinski bill.

If you vote for the Lesinski bill, you vote to change what you did 2 years ago relative to the prohibition of the closed shop.

If you vote for the Lesinski bill, you are voting to do away with the Communist oath. The Wood bill makes the Communist oath applicable to both employer and employee, but the Lesinski bill wipes it out. If you do not want an employee to be required to say if he belongs to the Communist Party, you vote for the Lesinski bill.

I think the most important thing you are going to vote on if you vote for the Lesinski bill is the States' rights provision. You all know that recently the Supreme Court has upheld the right of a State to legislate on the closed shop. The Lesinski bill in specific terms reverses the Supreme Court of the United States and says that that decision shall no longer be the law of the land.

Is there anybody here in this age of progress who still believes in something in the nature of States' rights? If you do, when you go back home I want you to explain to your people, those of you who vote for the Lesinski bill, why you voted for a measure that reverses a decision of the Supreme Court which said that your State should have the right to police in these matters.

I think some gentlemen will be embarrassed if they are asked that question when they get back home. Do not forget, whatever you do, the States' rights provision and the repeal of the States' rights provision in the Lesinski bill is the most important and vital thing in this whole bill. You are going to have to explain to somebody, if you vote to say that your State shall not have the right to exercise its police powers in the control of these matters, particularly if you happen to be one of those who voted for the Taft-Hartley Act 2 years ago.

Somebody is going to rise here and tell you, "Don't take the Wood bill. That is not the way to do this thing. We are going to take the Lesinski bill and then we are going to amend it off the face of the earth, so nobody will know what it looks like, and we are going to give you a lot of things like the protection the Wood bill is going to give you in strikes endangering the national health and welfare.

That is the next most important thing. If you vote for the Lesinski bill you vote to take away the power of your Government and the power of your President to prevent strikes in emergencies that affect the health and the welfare of the American people. Do you want to vote for that?

They are going to say, "Oh, no, we are going to amend the Lesinski bill." Well, they did not amend the Lesinski bill in the committee, and you do not find anything about it in the Lesinski bill as presented here.

Many of these Members making this argument are going to vote against giving the President of the United States any such right. But the Lesinski bill is so formed and so phrased, that I challenge anyone to get up on the floor of the House and tell us how you can amend the Lesinski bill. I studied both bills. Read the Lesinski bill and tell me how you would ever manage to amend that bill so as to put back into it the features necessary for the protection of the general public—not for the protection of labor unions, and not for the protection of corporations, but for the protection of your people back home. Will someone stand up and tell me how the Lesinski bill can be amended so as to put those features in it? It just cannot be done. Take my word for it.

Those are the questions you are going to have to determine and are going to have to decide for yourself. But do not get fooled on the idea that you can vote down the Wood bill and then ever get a bill in this House that is going to protect the rights of your people and protect the rights of your States, and the rights of the workingman. Let me say something to you. Let me say—and you all probably know it—you can talk all you want about the Taft-Hartley law, but the Taft-Hartley law has more in it for the protection of the workingman, for the protection of the man who wears the overalls than all the other legislation that has ever been proposed by these fellows who stand up here and say, "We are all for labor."

The SPEAKER pro tempore [Mr. HARRIS]. The time of the gentleman from Virginia has expired.

Mr. HERTER. Mr. Speaker, I yield the balance of the time on this side to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Speaker, it is not my intention to discuss the details of the so-called Lesinski bill or the details of the substitute bill which is going to be proposed, nor to any considerable degree, the details of the Taft-Hartley law, which is still on the statute books. You will all agree with me, I am sure, that we are facing here in the House of Representatives an exceedingly important issue. The country is watching us. I am sure that the average citizen is hoping and praying for a just solution of a most difficult problem. I cannot boast of being versed in the law, not having been admitted to the bar; but it occurred to me several years ago at the time when the original Wagner Labor-Relations Act was passed, that with the passage of that act labor unions were for the first time, if I am correct in my recollection, given definite recognition by Federal statute. They were given statutory recognition, which extended to them the right of collective bargaining. Of course, in extending that right, there was imposed, in a sense, upon the employer the duty of cooperating with the union in collective bargaining. In any event, I think I am not far wrong in saying, that by that act the Congress of the United States clothed organized labor unions with a public interest, just as Congress and State legislatures from time to time have clothed other organizations with a public interest by recognizing them under statutory authority. So today, unless I am very much mistaken, the labor union is literally clothed with a public interest. May I try to point out to you, inadequately I am afraid, the situation which existed, let us say, in 1946. A dispute would break out between management and labor in a huge industry. All the work in that industry ceased as a result.

The representatives of management and the leaders of the labor unions involved met in a hotel in some great city, like Chicago or New York or even Washington, and began to discuss and argue amongst themselves as to what they were willing to do and what they were not willing to do. A crowd begins to gather on the street outside, small at first, perhaps impelled by curiosity, waiting to see what this little group of men, perhaps not exceeding 8 or 10 in number, decide upon with respect to what they are going to do about a great industry.

As the days go by the crowd increases, gazing furtively up at the fourth-floor windows, wondering where they are going to get their food tomorrow; wondering perhaps when they will get their clothing, and the thing goes on and on and on until the crowd represents nearly the whole people of the United States.

That was the situation, as I view it, which we faced in 1946—a lack of a

sense of responsibility on the part of those clothed with the public interest. So, an honest effort was made in 1947 to equalize that burden of responsibility between the two parties to the end that they would be conscious of the fact that they owe a responsibility to the country as a whole which overtops their responsibility to their respective groups.

Men have said that as a result of that effort in 1947 to balance the burden of responsibility between the two groups and to bear in mind the vital interest of the public which was standing in that street in ever-increasing numbers labor has lost ground; that labor unions have been weakened; that their life has been threatened.

Mr. Speaker, since 1947 the membership of labor unions has increased tremendously. Numerically they are more powerful today than they ever were, and, believe it or not, I rejoice in that. I am glad to see labor unions increasing in membership. Other things being equal, that is a healthy thing. Again, it has been said that the act of 1947 would cause a great increase in strikes. It had exactly the opposite effect, a marked decrease in strikes. And then, strange to say, in view of the dire prophesies made with respect to the act of 1947, the wages of the workingman, according to the statistics of the Bureau of Labor Statistics have gone up literally a little higher proportionately than the cost of living. So that today the hourly wage of the average American workingman purchases more goods than it ever has in the history of the United States. And I rejoice in that, also.

Do I contend that conditions are perfect? No, I do not. I merely cite some of these uncontrovertible facts to show that the act of 1947 has had no tragic consequences whatsoever.

But coming back to my original creed, it is this: that as we legislate here today let us at least, for 2 or 3 days, forget the special interest of one group or the special interest of another group, be they management or be they labor. We must remember the overweening interest of the public; for, I can assure you that the public does not want to return to the conditions that confronted it in 1946 with that crowd in the street waiting for the group of dictators, management and labor leaders, to decide how they, the great American public, shall live.

Mr. MADDEN. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. KELLEY].

Mr. KELLEY. Mr. Speaker, as I listened to the distinguished gentleman from Virginia [Mr. SMITH] talk about the so-called Wood bill, I was forced to believe that what he was talking about, in plain words, was the Taft-Hartley bill.

As I understand the strategy, you will not have any chance to vote on the Lesinski bill; you will have a chance to vote on the Wood bill if it is accepted after the enacting clause is stricken. They expect to go along offering amendments to the Wood bill and trying to make that bill satisfactory to the membership.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield right there?

Mr. KELLEY. I yield.

Mr. McCORMACK. And everyone who advocated that has always advocated antilabor legislation in past years in this body.

Mr. KELLEY. That is correct; since I have been here that has been true.

Ostensibly we are going to consider the bill, H. R. 2032, to repeal the Labor-Management Relations Act of 1947 and to reenact the National Labor Relations Act of 1935, and for other purposes. At this point I think it would be well to analyze the provisions of the bill, H. R. 2032.

ANALYSIS OF H. R. 2032

Section 101 repeals the Labor-Management Relations Act of 1947, commonly known as the Taft-Hartley Act.

Section 102 reenacts the National Labor Relations Act of 1935, commonly known as the Wagner Act, as it existed prior to the enactment of the Taft-Hartley Act.

The various subsequent sections of the bill amend the Wagner Act, along the lines long advocated by the President and to which the Democratic Party committed itself before the last election. The Thomas-Lesinski bill is thus designed to carry out the pledges made by the President and by the Democratic Party. I will now take up one by one the various amendments of the Wagner Act.

Section 103 continues the present National Labor Relations Board as a five-member tribunal, instead of the three-member tribunal provided for under section 3 (a) of the Wagner Act. The heavy volume of work and the large backlog of cases now on the Board's docket necessitated the continuation of the larger Board. Provision is also made for the continued use of the present panel system, by an amendment of section 3 (b) of the Wagner Act.

Section 104 (2) amends section 4 (a) of the Wagner Act as follows: The salaries of Board members are increased to $17,500 a year. The salary of a Board member under the Taft-Hartley Act is $12,000 per year. The increase is to take into account the rise in living costs, and to give the members of the Board salaries commensurate with the importance of their functions.

Section 104 (b) is a purely technical provision deleting from the Wagner Act a provision with regard to the old NIRA Labor Board.

Section 105 bars the National Labor Relations Board and the courts from taking any action in cases arising under title I of the Taft-Hartley Act unless such action could be taken under the new act with respect to cases occurring after the passage of this bill. It thus modifies the provisions of the General Savings Act of February 25, 1871, which saves pending causes of action in cases of repeal of legislation. Section 105 also prohibits the Labor Board from issuing complaints on unfair labor practices occurring prior to August 22, 1947, unless charges with respect thereto were pending before the Board before January 1, 1949.

Section 106 adds to the Wagner Act provisions dealing with certain types of secondary boycotts and jurisdictional disputes. These additions may be summarized as follows:

Section 106 (a) is of an introductory character. It is a general finding that unjustifiable conflicts between labor organizations lead to industrial strife, and that the public interest requires abatement of such strife.

Section 106 (b) defines "secondary boycott" and "jurisdictional dispute."

Secondary boycott is defined as a concerted refusal to handle a particular product because the product has been or is to be manufactured, produced, or distributed by another employer.

Jurisdictional dispute is defined as a dispute between two or more labor organizations concerning the assignment of work by an employer. Under this definition, jurisdictional dispute is limited to a controversy between two or more labor organizations. It does not include a dispute between a union and an unorganized group of employees or between a union and an employer over the employer's assignment of work to unorganized employees. The definition thus avoids one of the objectionable features of the jurisdictional-dispute provisions of the Taft-Hartley Act—section 8 (b) (4) (D)—which was not limited in its application to disputes of labor organizations. The Taft-Hartley provision could be used by an employer to undermine a labor organization by transferring work from organized to unorganized employees.

It is intended that the term "jurisdictional dispute" shall include only disputes over the assignment of work and not representation cases which involve competition between rival unions for recognition as the bargaining agent for the same group of employees. Representation cases do not involve a dispute over the right to perform particular work, and are more appropriately resolved by an election than by arbitration.

Section 106 (c) amends section 8 of the Wagner Act by making it an unfair labor practice for an employer to refuse to assign a particular work task in accordance with an award made in a jurisdictional-dispute case under section 106 (e) of the bill. This unfair labor practice is thus designed to implement enforcement of the awards provided for in section 106 (e).

Section 106 (d) amends the Wagner Act by adding to section 8 of that act provisions for unfair labor practices by labor organizations. These provisions make it an unfair labor practice for a labor organization to engage in a secondary boycott or a strike for the purpose, first, of compelling an employer to violate his statutory obligation to bargain with another labor organization; or second, to further a jurisdictional dispute.

The first of these situations is covered by a provision making it an unfair labor practice for a labor organization to engage in a secondary boycott or a strike to compel an employer to bargain in any one of three situations: First, where an-

other labor organization has been certified by the Labor Board and such certification is still in effect; second, where the employer is required by an order of the Board to bargain with another labor organization; or third, where another labor organization, although uncertified, has a valid and subsisting collective-bargaining agreement which at the time of the strike or boycott would constitute a bar to the raising of a question concerning representation.

The purpose of this provision is to protect certifications and orders of the Board determining the status of a bargaining representative, and to safeguard the employer from pressure by a rival union when he is dealing with the majority representative of his employees as required by law.

Section 106 (d) also makes it an unfair labor practice for a union to engage in a secondary boycott or a strike for the purpose of compelling an employer to assign a particular work task contrary to an award made pursuant to the arbitration provisions of the bill. This provision, like the parallel provision of 106 (c) which applies to employers, serves to implement that portion of the bill providing for the arbitration of jurisdictional disputes.

Section 106 (e) sets forth the procedure for the arbitration of jurisdictional disputes. It amends section 9 of the National Labor Relations Act of 1935 by the addition of these provisions.

The procedure for the arbitration of jurisdictional disputes may be invoked by either an interested labor union or an employer when a secondary boycott or a strike is in effect or threatened. The bill authorized the Board either to hear and determine the jurisdictional dispute itself or to appoint an arbitrator. The award of the arbitrator is to be given the same effect.

Whether the dispute is to be heard by the Board itself or by the arbitrator, opportunity must first be afforded the parties to settle the dispute themselves. Emphasis is thus placed upon voluntary adjustment.

Standards for the determination of the work-assignment issue are set forth in the bill. These include prior Board certifications, union charters or interunion agreements, decisions of agencies established by unions to consider the jurisdictional disputes, the past work history of the contending labor organizations, and the policy of the act. By the inclusion of these standards it is sought to give the Board or the arbitrator adequate statutory guidance, and to avoid the charge made with respect to the jurisdictional-dispute provisions of the Taft-Hartley Act—section 10 (k)—which contain no standards, that they are an unconstitutional delegation of legislative power.

This section permits the Board to treat the case as one involving a petition for an election under section 9 (e) if at any stage of the proceeding it appears that the dispute is not a jurisdictional one but one concerning representation.

It is intended that, in any derivative unfair-labor-practice case, the award made pursuant to the provisions of this section of the bill shall generally be determinative of the work task assignment issue. This procedure is patterned after present procedure in representative cases and refusal to bargain cases, in which the prior certification is ordinarily decisive of the representation issue in the derivative unfair-labor-practice case. It has the advantage of limiting issues and expediting the decision in the subsequent unfair-labor-practice case. This is covered by section 106 (f).

That concludes the treatment of secondary boycotts and jurisdictional disputes.

Section 107 amends the proviso to section 8 (a) (3) of the Wagner Act to make it clear that the Federal statute overrides State laws which prohibit or restrict the closed shop or the check-off of union dues. These are matters which, except in the case of purely local enterprises, manifestly require uniform treatment on a national basis. There is no conceivable reason why a union dealing with the United States Steel Corp. should be permitted to negotiate for a closed shop and check-off in Pennsylvania but be denied that right by State law in some other State. Nor should the State be encouraged or permitted to bid for the location of industry within their borders by adopting repressive antilabor legislation. A major reason for the creation of the United States and for the adoption of the Constitution was to guarantee that the country would constitute an economic unit, with matters affecting interstate commerce being handled on a national and uniform basis. Section 107 secures this uniformity in the case of labor relations, and places such matters as the closed shop and the check-off in the area of free collective bargaining between labor and management.

Section 108 makes it an unfair labor practice for either an employer or a labor organization to terminate or modify existing agreements except upon 30 days' advance notice to the United States Conciliation Service. This requirement will enable the service to be apprised in advance of situations which may develop into industrial conflict.

We now come to title II of the bill. This title provides for the reestablishment of the Conciliation Service in the Department of Labor. This step, our committee concluded, is necessary for a sound and properly coordinated administration of Government-labor functions.

Section 201 reestablishes the Conciliation Service in the Department of Labor, and contains certain provisions to its administration.

Section 202 describes the functions of the Service and permits the Director to intervene in any labor dispute when, in his judgment, such intervention would assist the parties in settling the dispute. The Director is authorized, however, to enter into agreement with State and local mediation agencies relating to the mediation of disputes whose effects are predominantly local in character.

Section 203 prescribes conduct of the conciliation officers.

Section 204 declares that it is the duty of employers and employees to exert every reasonable effort to make and maintain collective-bargaining agreements and to participate fully in meetings called by the Service to aid in settling disputes. The purpose of these provisions is to emphasize the importance of peaceful and voluntary methods of adjusting industrial disputes.

The same policy underlies section 205 which declares it to be the public policy of the United States that collective-bargaining agreements shall provide for the arbitration of disputes growing out of their interpretation. The Conciliation Service is directed to assist in developing procedures for arbitration, in framing issues, and in selecting arbitrators. The provisions of this section are intended to encourage resort to the process of voluntary arbitration.

Section 206 provides for the appointment of labor-management advisory committees to advise the Secretary of Labor on questions of policy and administration affecting work of the Service.

We come now to title III of the bill which deals with national emergencies resulting from strikes in vital industries. The provisions of title III are intended to provide a method by which the Government can effectively assist in the settlement of such controversies. It is contemplated that the procedures provided are to be used only in exceptional cases involving a grave national emergency.

Section 301 provides that whenever the President finds that a national emergency is threatened or exists because of a stoppage of work in a vital industry which affects the public interest, he shall issue a proclamation to that effect.

Section 302 provides for the appointment by the President of an emergency board. This board is required to make its report to the President within 25 days after he issues his proclamation. This section, unlike the Taft-Hartley Act, requires the board to make findings and recommendations. The bill thus makes it possible to secure from a group of impartial experts findings and opinions upon the basis of which an informed opinion can be reached. It is believed that the rallying of public opinion behind such recommendations will be a powerful factor in settling such disputes.

The section prescribes a total cooling-off period of 30 days; 25 days during which the emergency Loard is making its investigation and report, plus 5 days after the report has been submitted. The bill does not provide for enforcement of this waiting period by injunction, but both of the great labor organizations have pledged themselves to observe it. It will be recalled that a much broader no-strike pledge during the war worked very well indeed.

Section 303 grants the emergency boards the necessary powers to carry out their duties, and carries administrative provisions.

That completes the major provisions of the bill. Title IV contains various miscellaneous provisions.

Section 401 is declaratory of what the law would be anyway, and makes it clear that the prohibitions in the Norris-LaGuardia and the Clayton Acts against the issuance of labor injunctions are restored in full force.

Section 402 restores the political-contributions provision of the Federal Corrupt Practices Act as it existed prior to the War Labor Disputes Act by striking from the Federal Corrupt Practices Act provisions relating to labor organizations.

Section 403 defines certain terms which are used throughout the bill.

Section 404 makes it clear that no provision of the act is to be construed as compelling an employee to render forced labor or to work under abnormally dangerous conditions.

Section 405 provides that titles II and III shall not be applicable with respect to matters which are subject to the provisions of the Railway Labor Act. It is not necessary to include title I in this exclusion since the definition of "employer" in title I has the same effect.

Section 406 contains the usual separability provision.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MADDEN. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman from Indiana has 8 minutes remaining. No time remains on the other side.

Mr. MADDEN. Mr. Speaker, I yield myself such time as I may consume.

The SPEAKER. The gentleman from Indiana is recognized for so much of the 8 minutes as he may consume.

Mr. MADDEN. Mr. Speaker, I merely wish to correct an impression left by the gentleman from Virginia [Mr. SMITH]. Listening to the gentleman from Virginia one would believe that the Wood bill was a piece of legislation that had been before the House for some time and with which every Member was familiar. The Wood bill—and I do not know yet whether the gentleman from Virginia was referring to the Wood bill that was filed first or the Wood bill that was filed the day before we adjourned for the Easter recess.

The first Wood bill was supposed to be the bill that was going to bring out the recommendations of the watchdog committee. I am going to make a statement now, and I do not think it can be contradicted. I hold in my hand the bill H. R. 4290 which is the new Wood bill. I received this bill about 3 hours ago. It is made up of 67 printed pages. I say that there are not 20 Members of Congress who have read or know what is in the second Wood bill, yet we are going to be asked to substitute this piece of legislation for H. R. 2032 which has been pending in Congress since January 3.

Mr. JACOBS. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Indiana.

Mr. JACOBS. I regret that the gentleman from Virginia [Mr. SMITH] did not yield to me while he had the floor. I wanted to ask him about Wood bill No. 2 which he said preserves States' rights. While that is true in regard to any State forbidding the closed shop as provided in section 14 (b); section 14 (a) definitely strikes down States' rights in these words: "No employer subject to this act shall be compelled to deem individuals defined herein as supervisors as employees for the purpose of any law, either national or local, relating to collective bargaining."

I wanted to ask the gentleman from Virginia to explain to me what became of his regard for States' rights when they wrote section 14 (a).

Mr. MADDEN. I thank the gentleman.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. I may say to the gentleman from Indiana that I do not like that provision either. However, I did not write the Wood bill and I suggest that he offer an amendment to strike that out and I will go along with him.

Mr. MADDEN. The gentleman from Virginia was very enthusiastic about the fact that the Wood bill outlaws the so-called closed shop.

I have in my hand an editorial appearing in the Chicago Tribune in October 1947. I am sure my friends on the left side of this House will certainly listen attentively to what the Chicago Tribune has to say about the closed shop. The Chicago Tribune and all newspapers in the Chicago area have been tied up in a paralyzing strike for 18 months. Thousands of members of the printers' union have been without work for that period of time and millions of dollars have been lost.

Here is what the "world's greatest newspaper" says about the closed shop which the Wood bill seeks to retain:

"When the law was under discussion in Congress, as our readers will recall, we advised against outlawing the closed shop. We did so, among other reasons, because we knew that the closed shop worked well in our own plant and had worked well for half a century or more. Congress did not take our advice. Neither the Tribune nor the Typographical Union writes laws of this country."

Somebody is going to have to explain to the Chicago Tribune if this Wood bill is accepted as is. However, our old friend, Curley Brooks, is out in Illinois and has plenty of time to explain to the Chicago Tribune just what the Taft-Hartley Act did to him.

My friends, I want to call another fact to the attention of the House. You remember when our good friend, Fred Hartley, the former chairman of the Committee on Education and Labor, closed debate 2 years ago on the Taft-Hartley law, his closing words in asking for votes on the Taft-Hartley legislation, before the vote was taken were, "Remember," he said, "if you vote for this bill you will have John L. Lewis in a box." Well, John L. Lewis has been in everybody's hair several times since the Taft-Hartley Act has been passed.

Mr. MANSFIELD. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Montana.

Mr. MANSFIELD. Mr. Hartley also said in his closing remarks that there is more in this bill, the Taft-Hartley bill, than meets the eye.

Mr. MADDEN. That is right, and over 61,000,000 wage earners in America, and about 16,000,000 union members have discovered most of the hidden booby-traps and concealed antilabor restrictions since that time, and that is why the Eighty-first Congress was elected to repeal that act. Yes, they took John L. Lewis out of a box. During one of his strikes, he was ushered into a conference, with our good friend, the present minority leader, who was then Speaker and the distinguished Senator BRIDGES. These three arbitrators settled the strike in 10 minutes, but the Taft-Hartley Act had nothing to do with that.

The gentleman from Virginia [Mr. SMITH] stated that the labor unions have increased their membership. Why, the greatest membership I ever saw in a union hall in my district was after those good old years of Republican depression back in 1934–35. Then the union members and the wage earners knew that they must get together and organize so that another depression, with its unemployment and low wages would not strike this country. We had great gatherings in the union halls back in 1934, 1935, and 1936 when wage earners started to organize in order to increase wages and improve working conditions in America. The big mistake labor made is that they went to sleep in 1946, and thought that they had won their battle, but they did not figure on the Eightieth Congress. That is why labor-union membership is increasing in 1948 because they are going to repeal and undo the damage done by the Eightieth Congress.

The SPEAKER. The time of the gentleman from Indiana has expired. All time has expired.

The question is on the resolution.

Mr. HERTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 369, nays 6, not voting 56, as follows:

[Roll No. 79]

YEAS—369

Abbitt	Beckworth	Buckley, N. Y.
Abernethy	Bennett, Fla.	Burdick
Addonizio	Bentsen	Burke
Albert	Biemiller	Burleson
Allen, Calif.	Bishop	Burnside
Allen, Ill.	Blackney	Burton
Andersen, H. Carl	Bland	Byrne, N. Y.
	Blatnik	Byrnes, Wis.
Anderson, Calif.	Boggs, Del.	Camp
Andresen, August H.	Boggs, La.	Canfield
	Bolling	Cannon
Angell	Bolton, Md.	Carlyle
Arends	Bonner	Carnahan
Aspinall	Bosone	Carroll
Auchincloss	Boykin	Case, N. J.
Bailey	Bramblett	Case, S. Dak.
Barden	Breen	Cavalcante
Baring	Brehm	Celler
Barrett, Pa.	Brown, Ga.	Chatham
Barrett, Wyo.	Brown, Ohio	Chelf
Bates, Mass.	Bryson	Chesney
Battle	Buchanan	Chiperfield
Beall	Buckley, Ill.	Christopher

Chudoff	Javits	Pfeiffer,
Church	Jenkins	William L.
Clemente	Jennings	Philbin
Cole, Kans.	Jensen	Phillips, Calif.
Cole, N. Y.	Johnson	Phillips, Tenn.
Colmer	Jonas	Pickett
Combs	Jones, Ala.	Poage
Cooley	Jones, Mo.	Polk
Cooper	Jones, N. C.	Potter
Corbett	Karst	Poulson
Cotton	Karsten	Powell
Coudert	Kean	Preston
Crawford	Kearns	Price
Crook	Keating	Priest
Crosser	Kee	Quinn
Cunningham	Keefe	Rabaut
Dague	Kelley	Rains
Davenport	Kennedy	Ramsay
Davis, Ga.	Keogh	Rankin
Davis, Wis.	Kerr	Redden
Dawson	Kilburn	Reed, N. Y.
Deane	Kilday	Rees
Delaney	King	Regan
Denton	Kirwan	Rhodes
D'Ewart	Klein	Ribicoff
Dingell	Kruse	Riehlman
Dollinger	Lane	Rivers
Dolliver	Lanham	Rodino
Dondero	Larcade	Rogers, Fla.
Donohue	Latham	Rogers, Mass.
Doughton	LeFevre	Rooney
Douglas	Lemke	Sadlak
Doyle	Lesinski	Sadowski
Durham	Lichtenwalter	Sanborn
Eaton	Lind	Sasscer
Eberharter	Linehan	Scott, Hardie
Elliott	Lodge	Scott,
Ellsworth	Lovre	Hugh D., Jr.
Elston	Lucas	Scrivner
Engle, Calif.	Lyle	Scudder
Evins	Lynch	Secrest
Fallon	McCarthy	Shafer
Feighan	McConnell	Sheppard
Fellows	McCormack	Short
Fenton	McCulloch	Sikes
Fernandez	McDonough	Simpson, Ill.
Fisher	McGrath	Simpson, Pa.
Flood	McGregor	Sims
Fogarty	McGuire	Smith, Va.
Forand	McKinnon	Smith, Wis.
Ford	McMillan, S. C.	Spence
Fulton	McMillen, Ill.	Staggers
Furcolo	McSweeney	Stanley
Gary	Mack, Ill.	Steed
Gathings	Mack, Wash.	Stefan
Gavin	Madden	Stigler
Gillette	Magee	Sullivan
Golden	Mahon	Sutton
Gordon	Mansfield	Taber
Gorski, Ill.	Marsalis	Tackett
Gorski, N. Y.	Marshall	Talle
Graham	Martin, Iowa	Tauriello
Granahan	Martin, Mass.	Teague
Granger	Mason	Thomas, Tex.
Grant	Merrow	Thornberry
Green	Meyer	Tollefson
Gross	Michener	Towe
Gwinn	Miles	Trimble
Hagen	Miller, Calif.	Underwood
Hale	Miller, Md.	Van Zandt
Hall,	Miller, Nebr.	Velde
Leonard W.	Mills	Vinson
Halleck	Mitchell	Vorys
Hand	Monroney	Vursell
Harden	Morgan	Wadsworth
Hardy	Morris	Wagner
Hare	Morrison	Walter
Harris	Morton	Weichel
Harrison	Moulder	Welch, Calif.
Harvey	Murdock	Welch, Mo.
Havenner	Murray, Tenn.	Werdel
Hays, Ohio	Nelson	Wheeler
Hébert	Nixon	White, Calif.
Heffernan	Noland	Whitten
Herlong	Norrell	Whittington
Herter	Norton	Wigglesworth
Heselton	O'Brien, Ill.	Williams
Hinshaw	O'Brien, Mich.	Willis
Hoffman, Ill.	O'Hara, Ill.	Wilson, Ind.
Hoffman, Mich.	O'Hara, Minn.	Wilson, Okla.
Holifield	O'Neill	Wilson, Tex.
Holmes	O'Sullivan	Winstead
Hope	O'Toole	Withrow
Horan	Pace	Wolcott
Howell	Passman	Wolverton
Huber	Patman	Wood
Hull	Patten	Woodhouse
Irving	Patterson	Woodruff
Jackson, Calif.	Perkins	Worley
Jackson, Wash.	Peterson	Yates
Jacobs	Pfeifer,	Young
James	Joseph L.	Zablocki

NAYS—6

Nicholson	Rich	Smith, Kans.
Norblad	St. George	Wier

NOT VOTING—56

Allen, La.	Goodwin	Marcantonio
Andrews	Gore	Multer
Bates, Ky.	Gossett	Murphy
Bennett, Mich.	Gregory	Murray, Wis.
Bolton, Ohio	Hall,	O'Konski
Brooks	Edwin Arthur	Plumley
Bulwinkle	Hart	Reed, Ill.
Clevenger	Hays, Ark.	Richards
Cox	Hedrick	Sabath
Curtis	Heller	Smathers
Davies, N. Y.	Hill	Smith, Ohio
Davis, Tenn.	Hobbs	Stockman
DeGraffenried	Hoeven	Taylor
Engel, Mich.	Jenison	Thomas, N. J.
Frazier	Judd	Thompson
Fugate	Kearney	Walsh
Gamble	Kunkel	Whitaker
Garmatz	LeCompte	White, Idaho
Gilmer	Macy	Wickersham

So the resolution was agreed to.

The Clerk announced the following pairs—

General pairs until further notice:

Mr. Garmatz with Mr. Engel of Michigan.
Mr. Heller with Mr. Judd.
Mr. Marcantonio with Mr. Hoeven.
Mr. Gilmer with Mr. Edwin Arthur Hall.
Mr. Allen of Louisiana with Mr. Gamble.
Mr. Cox with Mr. Goodwin.
Mr. Hobbs with Mr. Bennett of Michigan.
Mr. Fugate with Mr. Macy.
Mr. Hart with Mr. Plumley.
Mr. Gregory with Mr. Kunkel.
Mr. Moulter with Mr. Smith of Ohio.
Mr. Richards with Mr. Taylor.
Mr. Whitaker with Mr. Stockman.
Mr. Murphy with Mrs. Bolton of Ohio.
Mr. Davies of New York with Mr. Kearney.
Mr. Hedrick with Mr. Clevenger.
Mr. Walsh with Mr. LeCompte.
Mr. Thompson with Mr. Hill.
Mr. Frazier with Mr. Reed of Illinois.
Mr. Hays of Arkansas with Mr. Curtis.

Mr. SHAFER changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

Mr. KELLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2032) to repeal the Labor-Management Relations Act, 1947, to reenact the National Labor Relations Act of 1935, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 2032, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. KELLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. LESINSKI].

Mr. LESINSKI. Mr. Chairman, there is one thing that I want to make clear at the outset of this debate—we of the majority present this measure in no spirit of partisanship, nor with any purpose of reprisal.

We are not interested in repeal of the Taft-Hartley Act and the enactment of sound, substantial labor-management relations merely because the Taft-Hartley Act was a Republican measure and was driven through the Congress in a spirit of hysteria and vengeance. We are not here seeking to play politics, or to curry favor with any group.

And I appeal to the members of the House on both sides of the aisle to approach this debate in that same spirit of fair-mindedness, determined as always to legislate in the interests of our entire country.

Mr. Chairman, this bill, H. R. 2032, is conceived in that spirit. I believe that it is one of the most vital measures that will come before this Congress.

It deals with one of the most vital relationships that exists today in our society—the relationship between labor and management and the public.

If we are to achieve a stable society, if we are to avoid the bitternesses and conflicts of class warfare, we must deal wisely with this relationship between labor, management, and the public for it is one upon which many governments in our time have floundered.

We have seen the breach between these three vital elements of our community widened and widened until, at times, it threatened to plunge us into the bottomless pit of anarchy. We have seen proponents of class hatred—on the side of labor and on the side of management—seize upon each and every opportunity to put shackles and chains upon the other.

That was the spirit, Mr. Chairman, that motivated the passage of the Taft-Hartley Act. It was that spirit, Mr. Chairman, that was the driving force behind those who, in the Eightieth Congress, whipped up the frenzy and the hatred against labor organizations that are expressed in that act. And it was on the coat-tails of that frenzy and that hatred that the Taft-Hartley Act rode to passage.

The President of the United States, Mr. Chairman, was well aware of this when he returned the Taft-Hartley Act to the Congress without his approval.

At that time he declared—and I quote from his veto message:

> The bill taken as a whole would reserve the basic direction of our national labor policy, inject the Government into private economic affairs on an unprecedented scale and conflict with important principles of our democratic society. Its provisions would cause more strikes, not fewer. It would contribute neither to industrial peace nor to economic stability and progress. It would be a dangerous stride in the direction of a totally managed economy. It contains seeds of discord which would plague this Nation for years to come.

The President also noted, Mr. Chairman, that this bill—and again I give you the very words—

> would go far toward weakening our trade-union movement. And it would go far toward destroying our national unity. By raising barriers between labor and management and by injecting political considerations into normal economic decisions, it would invite them to gain their ends through direct political action. I think it would be extremely dangerous to our country to develop a class basis for political action.

I cannot emphasize too strongly—

The President continued—

the importance of the United States in the world today as a force for freedom and peace.

We cannot be strong internationally if our national duty and our productive strength are hindered at home. Anything which weakens our economy or weakens the unity of our people—as I am thoroughly convinced this bill would do—I cannot approve.

Following that message, Mr. Chairman, the Taft-Hartley Act was put into our great democratic crucible of public debate.

Countless hours of valuable radio time were consumed with discussion and debate. Thousands of columns of newspaper and magazine space were filled with printed words which examined the merits and demerits of the Taft-Hartley Act. On public platforms all over the land speakers expounded their views on the virtues and the faults of this legislation.

And, Mr. Chairman, last November this issue was put squarely before the voters of the Nation.

The platform of the Democratic Party, Mr. Chairman, stated clearly the policy of our party with respect to labor-management relations.

It declared:

We advocate repeal of the Taft-Hartley Act. It was enacted by the Republican Eightieth Congress over the President's veto. It has failed. The number of disputes has increased. Recent decisions prove it was poorly drawn and probably, in some provisions, unconstitutional.

The platform of the Republican Party, Mr. Chairman, was also clear in its support of the Taft-Hartley Act. It termed it a "sensible reform" of the labor law.

The candidates for President spoke even more plainly. The President openly and on numerous occasions voiced his opposition to the Taft-Hartley law and his desire for sound, well-considered legislation covering labor-management-public relations. The Republican candidate for President made it equally clear that he was standing by the Taft-Hartley law.

And on November 2, 1948, Mr. Chairman, the people of the Nation gave their great decision. After months of debate, after more than a year's experience, after a public scrutiny of the law that was detailed and painstaking, the voters of the Nation expressed their opinion.

They put their approval on the candidate and the party who stood for repeal of the Taft-Hartley law and for the enactment of sound legislation in this field.

I want to call the attention of the House to the fact that by taking this action the people of our country took a great step forward, not only in strengthening our own democracy here at home but in strengthening beyond measure the hands of those abroad who preach the cause of democracy.

As the Members of the House know, there are today in Europe growing numbers of working men and women who resist the encroachments and the blandishments of communism. To the lies and propaganda of the Communists and the opponents of democracy, they reply with facts and proof from the United States, the great stronghold of the democratic faith.

The fact that we in this country could plunge so important a piece of legislation as that governing labor-management relationships into the crucible of democratic debate was itself impressive. The fact that out of this crucible we can pour a revised measure that will eliminate the evils and shortcomings of that legislation will be even more impressive.

It is, Mr. Chairman, a demonstration that democracy can work and does work.

If we break faith with the people of our own country, we do more than destroy the precious fabric of our own democratic faith. We rip to shreds the painful and expensive beginnings that we of the democratic faith are today making in western Europe. If we break faith with our own people—who expressed themselves so clearly and in such detail last November—we confess to the people of western Europe who are today desperately seeking the truth that the forces of communism speak the truth, while we practice hypocrisy.

I know that this House will not make such a confession. I know that this House will keep the faith of our own people and of the people in other lands who look to us to keep the torch of democracy always lighted.

Weakening the rights of labor and taking away its strength to bargain collectively, as the Taft-Hartley Act does, is the first step away from democracy, and toward fascism, communism or any other brand of totalitarianism. If we are to continue leading the countries who look to us for guidance, we must not only preach democracy, we must be a democracy. And in a democracy, the rights of labor must be respected.

The President of the United States took steps toward the fulfillment of our pledges to democracy and the democratic faith at the first opportunity.

In his message to this body on the state of the Union on January 5 of this year, he declared:

If we want to keep our economy running in high gear, we must make sure that every group has the incentive to make its full contribution to the national welfare. At present the working men and women of the Nation are unfairly discriminated against by a statute that abridges their rights, curtails their constructive efforts and hampers our system of free-collective bargaining. That statute is the Labor-Management Relations Act of 1947, sometimes called the Taft-Hartley Act.

That act should be repealed.

The Wagner Act should be reenacted. However, certain improvements, which I recommended to the Congress 2 years ago, are needed. Jurisdictional strikes and unjustifiable secondary boycotts should be prohibited. The use of economic force to decide issues arising out of the interpretation of existing contracts should be prevented. Without endangering our democratic freedoms, means should be provided for settling or preventing strikes in vital industries which affect the public interest.

The Department of Labor should be rebuilt and strengthened and those units properly belonging within that Department should be placed in it.

The bill which our committee has placed before the House carries out those recommendations.

We have listened to days of testimony and we have had the benefit of the even more extensive hearings that were held by the appropriate committee in the other body of this Congress. Every Member of this Congress has had before him for nearly 3 months a copy of this bill which he could read and study.

Every issue was thoroughly explored. Every shade of opinion among management, labor, the farmers, and the public at large was given an opportunity to be heard. The experts in labor law and labor-management relations gave our committee their considered judgment on the legislation now before us.

Against this background, the committee has given careful consideration to the purpose of H. R. 2032, and a majority of the committee has concluded that it is sound legislation and should be passed.

I do not propose, Mr. Chairman, at this time to go into the specific provisions of H. R. 2032. That will be done by the other members of the Committee on Education and Labor.

I am confident, Mr. Chairman, that the House will act upon this measure in the spirit in which it is presented—a spirit of fair play and a consciousness that what we do here with this measure will have an overwhelming effect on the structure and growth of our society here at home and on the painful gropings of people elsewhere in the world toward the creation of a free society composed of freemen and free institutions.

It is in that spirit, Mr. Chairman, that I call upon the House to pass H. R. 2032 without amendment.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. LESINSKI. I do not yield. The gentleman can get time on his own side.

The CHAIRMAN. The gentleman from Michigan [Mr. LESINSKI] has consumed 17 minutes.

Mr. McCONNELL. Mr. Chairman, I yield myself 33 minutes.

Mr. Chairman, I listened with a great deal of interest to the statement of my good friend and colleague, the gentleman from Indiana [Mr. MADDEN], who up until this year was a member of the Committee on Labor. The gentleman from Indiana spoke of the procedure used in pushing the Taft-Hartley bill through the committee.

I would like to draw a comparison between the two periods we are discussing, the action of the committee in the Eightieth Congress on the Taft-Hartley bill, and the action of the committee in the Eighty-first Congress on the Lesinski bill.

The full committee in the Eightieth Congress, controlled by the Republicans, held hearings on labor-management problems for approximately 6 weeks. The full committee, I repeat, conducted the hearings. Under the present procedure of this labor committee, the Lesinski bill hearings were held by a subcommittee for approximately 10 days, sandwiched in between voting, and other matters which took our attention.

In the Eightieth Congress, at the end of 6 weeks of hearings and the taking of 2,000,000 words of testimony, the majority members of the committee proceeded to write the bill. No department of Government and no special interest or out-

side organization had anything to do with the bill which was drawn up for this House in the Eightieth Congress by the majority members of the labor committee. After we had finished with our deliberations, which took us approximately 10 days, the bill was brought before the full committee and it was read for amendment. Approximately 29 amendments were adopted, as you will see if you will read the report back in that period.

Now, let us contrast the present situation. Many of us came back to this Congress with the thought that we would have an opportunity to consider in detail and very carefully this critical and important problem. It became obvious to us shortly after we began our hearings before the subcommittee that there was no intention to have the bill changed in any particular. As a result, when it was brought before the subcommittee, and then before the full committee, there was no discussion. When the substitute bill was offered by me, I did not even have any opportunity to explain some of the provisions of that bill and some other amendments which I wished to offer. After that, a vote was taken, the substitute bill was defeated 13–11, and then the Lesinski bill was voted out of the committee with no intervening discussion. The Republican Members went before the Rules Committee and asked for an open rule, one which would permit amendment and allow the bill to be written on the floor of the House.

There has been some question about the use of the name of the gentleman from Georgia [Mr. WOOD], on the bill. As far as I know, it is a very honorable name; I know nothing wrong with the name. It happened to be the only bill to my knowledge that contained the various features of the present labor law so that when it came to the floor of the House it could be considered in an intelligent fashion as a substitute. Certainly there was no intention of getting rid of the names Taft and Hartley that I knew of, but it just happened to be the only bill before the committee conforming to the general pattern of the Taft-Hartley bill, as amended by recommendations of the joint House-Senate committee which was set up by action of the Eightieth Congress.

This is a big piece of legislation we have before us today. We must consider not only the administration bill, the Lesinski bill, but we also have to consider the Taft-Hartley and Wagner Acts, and the Wood bill. It becomes very confusing, undoubtedly, to many people, so I have deliberately set up the program on our side in such way that we can develop the procedure that we believe will be correct; also, that we will be able to tell you the past history of other legislation, as well as what the Lesinski bill does and does not do, and what the Wood bill will do. That will be developed during the course of our discussion in the next 2 days.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield.

Mr. HALLECK. There are a couple of other things that I believe it might be well to have cleared up at this juncture; the first is the reference by the gentleman from Indiana [Mr. MADDEN] for whom certainly I have the highest respect and admiration, that the so-called injunctive processes of the Labor-Management Relations Act of 1947 had never been effective against Mr. Lewis and the coal strike. As I remember, it was that very process that was invoked, and it runs in my mind that it was quite effective; at least it resulted in the collection of a fine. The President himself ordered the Attorney General to obtain the injunction.

Secondly, reference was made to the fact that no one knows what is in the revised Wood bill. At this juncture let me say that some days ago I received from the chairman of the Committee on Education and Labor the gentleman from Michigan [Mr. LESINSKI] a carefully worked out analysis of his bill and the revised Wood bill. I have read it and studied it with interest, and I commend it to the consideration of every Member. All Members undoubtedly also have copies of the comparative analysis. As a matter of fact, I think it should be pointed out that the bill was introduced on April 14.

Mr. CARROLL. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from Colorado.

Mr. CARROLL. I think that the RECORD ought clearly to show that the coal strike, if I remember it correctly, was a dispute over the disposition of welfare funds. Three trustees were set up in that particular union; one of the trustees was in favor of the union's distribution of the fund; the operators' trustee was not in favor of it, and the neutral trustee resigned. As a result of this dispute on the conflicting provisions of the contract there was a question as to whether or not there was an actual strike. When John Lewis passed the message back to his people that the operators had violated the provisions of the contract they walked off the job.

It was then, as I recall it, that the gentleman from Indiana as he addressed us from the well of the House said that it was not the injunctive process but it was the present minority leader and a certain Senator who was instrumental in getting a new trustee selected, which new trustee sustained the position of the union. The welfare fund was then disbursed. So, actually, the injunctive process had absolutely nothing to do with the strike itself.

It is true, however, that they fined the union; it is true also that when the case was carried to the district court of appeals the court sustained the union. Of course, the injunctive process was used as a punitive measure.

Mr. McCONNELL. Mr. Chairman, as I stated earlier, it is our intention to present various parts of this labor-management problem. I intended to present here today as the lead-off speaker on the Republican side the general background which preceded the labor-management laws as we are now considering them.

Mr. Chairman, we are confronted today with one of the most critical issues with which this Congress will deal. That issue is whether we shall blindly discard in toto every last provision of an act that passed this body less than 2 years ago, with a majority of the Members of both parties voting in favor of it. That is what the majority of the Democratic Members who reported the bill now before us recommend that we do, for that bill would scrap every single provision of the Labor-Management Relations Act, 1947.

When the act was passed, no one considered it to be perfect, and no one considered that defects would not develop from experience under it. The Republican minority concedes that defects have developed and that such defects should be corrected. Others will doubtless develop in the future, for the Labor-Management Relations Act is no different from other legislation in this regard.

But the existence of some defects in the present law is in our opinion no justification whatever for discarding all of its provisions—regardless of their merit. It has been the traditional practice of Congress, and of all other legislative bodies, when defects in existing legislation are shown, to formulate specific amendments to correct them. Scarcely a year goes by but what the need of changes in some of the provisions in our revenue laws is not pressed convincingly on Congress. Yet it has never been proposed that because certain tax provisions can be shown to be inequitable or defective we should repeal all of our tax laws. Yet this is the underlying premise of the bill now before us.

In 1947 when the unprecedented industrial chaos of a year and a half which had resulted from the partisan and one-sided administration of the Wagner Act and extreme judicial interpretation of the Norris-LaGuardia Act clamored for the attention of the Eightieth Congress, those of us who served in that body did not begin our task by repealing those statutes. Instead we invited representatives of industry, labor, and the public to appear before our standing committees and give us their views as to what should be done to remedy the situation. The legislation we ultimately passed—the Labor-Management Relations Act—was carefully drawn so as to save all the sound features of the Wagner Act and the Norris-LaGuardia Act, and so as to supplement those provisions with provisions giving recognition to the fact that management, the public, and the individual worker also have a stake in any sound Federal industrial relations policy. In enacting that legislation we were careful to preserve the very language of the earlier enactments upon which the protection of the right to organize, to bargain collectively, and to engage in concerted activities were embodied.

The Labor-Management Relations Act was not the sole and exclusive invention of the Eightieth Congress. Virtually all of its major provisions had a previous legislative history. Such fundamental reforms in National Labor Relations Board jurisdiction and procedure as the establishment of unfair labor practices for unions as well as management, the right of free speech, the separation of prosecuting and judicial functions, and the application of the rules of evidence and judicial review to Labor Board findings, were embodied in a bill which

passed the House overwhelmingly in the heavily Democratic Seventy-sixth Congress. That bill was the result of the only exhaustive investigation a committee of this Congress has ever made of the actual administration of the Wagner Act.

In the ensuing Seventy-seventh Congress, also heavily Democratic, the House by a big majority passed another bill which also contained a number of provisions which the Taft-Hartley Act ultimately enacted into law, including provisions enabling the Government to obtain temporary injunctions in strikes endangering the national safety. In the rapid developments of the war which followed, this measure, a forerunner in many respects of the Labor-Management Relations Act of 1947, was not acted upon by the other body.

The Seventy-eighth Congress—also Democratic—dealt with labor problems by enacting the Wage Stabilization Act and the Smith-Connally Act. Such measures, of course, with wage fixing and plant seizures, were justified only against the background of wartime conditions.

The expiration of these wartime measures brought forcibly home the grievous results to the public of the long-standing failure of Congress to remedy the inadequacies of the Norris-LaGuardia and Wagner Acts. Large and powerful international unions speaking for and controlling all of the workers throughout entire industries were able to paralyze our economy. In the 5-month period which followed the end of the war, reconversion was set back by the loss of approximately 38,000,000 man-days of labor through strikes. This total was tripled in 1946 when 116,000,000 man-days were lost and the number of strikes reached the unprecedented figure of 4,985.

In an attempt to cope with these problems the Seventy-ninth Congress, also strongly Democratic, attempted to curb some of the more flagrant labor abuses by enacting the Case bill.

This measure contained provisions dealing with the compulsory organization of supervisory personnel, contained effective curbs against jurisdictional strikes and secondary boycotts, conferred jurisdiction upon the Federal district courts in suits for breach of collective-bargaining agreements, established an independent mediation service, treated certain unjustifiable union practices of a monopoly character as violations of the antitrust laws, and placed restrictions on the unregulated control and expenditure by unions of welfare funds exacted from employers.

As a result of the veto of this bill by the President, the Eightieth Congress was forced to consider anew the problem of dealing with all these abuses as well as with the defects in Labor Board procedure and practice which would have been remedied years before had the other body concurred with the action of the House in the Seventy-sixth and Seventy-seventh Congresses.

So the Labor-Management Relations Act was truly the culmination of an evolutionary process. I have listened to and read all sorts of arguments against it. Very few of those arguments are directed at specific provisions. They are rather arguments which might have been made with respect to the industrial-relations picture a generation or so ago. When we hear such phrases as "union busting," "government by injunctions," "slave labor," "sweatshops," and "yellow-dog contracts," a person unfamiliar with our present laws would think that we are legislating today against the background of the early 1920's. A person unfamiliar with our present laws would infer that statutes for the protection of the workingman that have been enacted during the last 20 years—such as the Norris-LaGuardia Act, the National Labor Relations Act, the Fair Labor Standards Act, the Walsh-Healey Act, and the Antistrikebreaker Act—had never been written—or, if they had, that the Eightieth Congress had erased them all from the statute books.

I believe that there are few, if any, Members of this body who would not agree that prior to the enactment of those laws workers who wished to organize and bargain collectively were in many, many cases prevented from doing so and unfairly treated. I believe there are few, if any, Members of this body who would not agree that organized labor in the past had a long and slow uphill battle to secure recognition in law of the right of workers to organize and engage in concerted activities for the purposes of mutual protection. But that right received the protection of law over 15 years ago, is still incorporated in the law today, and was not disturbed by the Labor-Management Relations Act.

In the early days of this century the concerted activities of labor organizations were held to be subject to the antitrust laws, with the result that workers engaged in concerted activities at their peril. Congress attempted to remedy this in the enactment of the Clayton Act in 1914, but the interpretation put upon this act by the courts did not improve the situation. During the 1920's, as a result of the emergence of the yellow-dog contract and the continued application of the antitrust laws, the doctrine that injunctions were an appropriate remedy to prevent workers from engaging in concerted activities came into full flower. That situation was corrected by the enactment of the Norris-LaGuardia Act in 1932—and every essential feature of that act is still in effect today.

None of us here looks with pride upon the treatment of organized labor a generation ago. But that is not the situation today, and it is not that situation that we are here legislating about.

All of the acts that I have referred to that have been enacted in the last 20 years for the protection of workers are still intact in all of their essential provisions, and not even the most violent opponent of the Labor-Management Relations Act, 1947, can deny this.

When the bill reported by the committee was the subject of hearings before our subcommittee, not one witness was able to point to a single case of a union being smashed or of a sweatshop or yellow-dog contract being sanctified by the Taft-Hartley Act. Not a scintilla of evidence has been produced to show that any American worker has been enslaved since its passage. On the contrary, during the 2 years the law has been in effect the number of organized workers has steadily increased, the number of strikes has steadily decreased, and the wage scales prevailing in collective-bargaining agreements are higher than at any point in our history.

What the bill before us would have you do would be to blindfold your eyes to the situation that exists today and return to the one-sided laws that were enacted to deal with an entirely different situation. I do not use the words "one-sided" in any critical sense, nor do I for a moment suggest that the National Labor Relations Act and the Norris-LaGuardia Act did not meet a need for genuine reform at the time that they were passed. In those years more than 10,000,000 persons in our working force were unemployed. Labor organizations had shrunk in membership to less than 2,000,000 and hence were relatively weak and ineffective in protecting the standards and conditions of employment of wage earners. But when the larger part of our factories, mines, and transportation facilities were organized by large and powerful labor unions, the shortcomings in these statutes to deal with the changed picture soon became apparent.

The bill that we have before us would return to all these shortcomings, and this is not because the laws to which the bill would return were bad at the time they were enacted. It is rather because we are today facing an entirely different factual situation than that which existed in 1932 and 1935. But the bill would do even more than merely return to the one-sided Wagner Act. It would go far beyond this. For example, some 21 States have restrictions of one sort or another upon compulsory union-membership agreements. An even larger number of States have restrictions on the check-off. These State laws were never interfered with in any way by the Wagner Act, and yet the bill we have before would erase all of these from State statute books and State constitutions.

It is claimed by the proponents of the bill that the bill is really two-sided, since it provides for certain unfair labor practices by labor unions. Let us examine this claim for a moment. Labor unions, like corporations, can act only through agents. When a person purporting to act for a labor union does something that is unlawful, the question inevitably arises as to whether his act is the act of the labor union so as to make the labor union liable. Under the bill we have before us it will, in practical effect, be impossible to ever hold a labor union liable for an unfair labor practice because the bill makes the ordinary laws of agency inapplicable to labor unions. Instead it would require in effect that the union pass a formal resolution specifically authorizing its officials to engage in illegal activities before a union could be held liable for committing one of the proposed new unfair labor practices.

What the bill proposes to do, however, is not nearly so significant as what it proposes to omit from the present law.

First. All of the provisions of the present law which give to the Government the power to protect itself against the

effects of strikes and lock-outs which imperil the national health and safety would be discarded and the United States left helpless when situations like this arise.

Second. All of the provisions of the present law which protect workers from mass picketing and other organized union violence would be discarded.

Third. All of the reforms made to protect individual workers against arbitrary union action by unions having compulsory union-membership agreements with employers would be scrapped.

Fourth. The bill would discard all of the provisions of the present law which make boycotts having no purpose other than monopoly unlawful.

Fifth. The provisions of existing law protecting the political freedom of individual workers would be scrapped, and the workers, through the combination of compulsory union membership and the check-off of union assessments without the workers' consent, would be compelled to support candidates and doctrines with which they do not agree.

Sixth. The bill would omit the provisions of existing law which protect the right of free speech in labor controversies.

Seventh. It would omit all the provisions of existing law which give to employees a method of getting rid of a union which has lost the employees' majority support.

Eighth. The provisions of existing law imposing on unions a mutual duty to bargain collectively would be omitted.

Ninth. The provisions of existing law which make unions subject to suit like all other persons for violation of contract would be discarded; and, moreover, the bill would even discard the provision of existing law which exempts the property of individual union members from execution to satisfy a judgment against the union.

Tenth. The provisions of existing law which recognize the line between labor and management, and which exempt supervisory personnel from domination by labor unions controlled in fact or in practice by the very personnel which the supervisor has been hired to direct would be scrapped.

Eleventh. The provisions of existing law which enabled the Atomic Energy Commission to protect atomic secrets from Communist labor officials would be completely done away with. As a matter of fact, this bill actually encourages the infiltration of Communists and their leaders into unions and opens the door to complete Communist domination of unions. It sanctions the use of closed-shop for Communist objectives and compels employers engaged in the highly secret operations of the Atomic Energy Commission to bargain and deal with Communist-dominated unions. Therefore, I most earnestly appeal to you, my colleagues, to consider the danger to our national security that could result from the enactment of this labor legislation.

Twelfth. All of the procedural reforms in Labor Board practice would be thrown into the discard.

All of these provisions of existing law would be omitted by the bill reported by the Labor Committee, and you can read the majority report on the bill from beginning to end without finding a single word to justify what the bill does in this regard. It is the position of the Republican minority that the House should have an opportunity to consider all of these provisions, decide whether it is desirable to retain them as part of our law, and make only such changes in existing law as the facts justify.

Mr. Chairman, I want to call your attention to the editorial in today's Washington Post, dealing extensively with the important legislation we have before us today, which says, in part:

> We suspect that a large majority of the Members of the House know in their hearts that the enactment of this measure without extensive amendment would be a colossal blunder.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. KELLEY. Mr. Chairman, I yield 30 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, this is, indeed, an auspicious occasion. As the Congress begins debate on the pending Labor Relations Act of 1949, the event should be marked as a red-letter day on the calendar of every American who loves freedom, cherishes justice, and who has a sincere regard for the constitutional guaranties of a free people.

Mr. Chairman, economic slavery is just as distasteful to a free people as physical servitude. I say to you, my colleagues, that our beloved America cannot long endure half free and half slave. This was so in the days of Lincoln. It is particularly true in our present highly industrial state.

There is no room in these United States for a second-class citizenship such as is set up under the Taft-Hartley Act. There must be reborn in these sacred halls the faith of our fathers—a faith and a determination that there is and shall continue to be in our Republic equal justice under law.

Big business as we know it, eager to exploit, demands that the welfare of our Nation makes necessary the continuation of our system of free enterprise. With this idea, labor is in full accord. In return labor asks only that it be permitted to organize, and that it be accorded full right to free collective bargaining in the sale of its services. To this big business, in its desire to amass huge profits, replied through the Taft-Hartley Act of 1947 that labor must be restricted, both politically and economically.

What, may I ask, has happened to that era of good feeling and mutual confidence and respect that existed during the last war, when business was prone to say collective bargaining was necessary to the continuance of this same free-enterprise system. If teamwork was necessary to win the shooting war, why is it not equally necessary to win this cold war that now engulfs us.

They say history repeats itself. I agree fully. At the close of the First World War big business succeeded in breaking most labor unions and this one-sided policy led us to economic disaster in 1929, when our free-enterprise system was without counterchecks and balances, and rugged individualism ran roughshod over human rights to the detriment of our public welfare.

At the close of World War II we again see big business, aided and abetted by the Republican Party, engaged in another drive to make material things, not human welfare, the theme song of the postwar era. The first Republican-controlled Congress in 15 years—the Eightieth Congress—gave you the so-called Labor Relations Act of 1947—the Taft-Hartley Act—and in so doing they turned back the clock of labor-management relations a quarter of a century to the post-World War I era, when government by injunction was legal.

For what do these Republican gentlemen propose to punish labor? For winning the war, on the battle front and the industrial front? For establishing an all-time record of production? For making America the arsenal of democracy? During 4 years of global warfare, with all its hardships and heartbreaks on the home front, and while the husbands and sons of the workers were fighting, less than one-half of 1 percent of all available working time was lost by reason of strikes. Had industry kept its high-sounding no-war-profiteering pledge as well as labor kept its no-strike pledge, our national debt today would not be so high.

I see before me men, Members of this body, grown old and gray in the labor movement, who remember the infamous Hinchman Coal Co. and the Eagle Glass Co. cases that originated in the United States district court in West Virginia, in the period of the First World War. These cases set the pattern for a national policy that soon became a stench in the nostrils of liberty-loving Americans.

My native State of West Virginia emerged from the crucible of the Civil War with the motto Montani Semper Liberi, which means Mountaineers Always Free. Despite this love for liberty and freedom, our State during the 1920's saw constitutional government submerged to the will of the courts. So flagrant were the abuses by the mine guards and the Baldwin-Phelps detectives, operating under cover of mandatory injunctions, that rioting and violence broke out, which finally led to an armed march of thousands of workingmen in protest to these abuses and in protest to the contravening of their constitutional guaranties.

Men demanding only simple justice were charged with treason. Instead of a trial before a jury of their peers, they were held in contempt of a mandatory injunction of the United States court; and instead of a trial at the scene of the alleged crime, they were dragged hundreds of miles away to a distant part of our State and tried in the same courtroom in which they tried John Brown for treason in the Civil War days. Many of them went to prison following their conviction by a three-judge United States district court.

I say to you, my colleagues, that there is in the present Taft-Hartley labor law and the proposed Wood bill the foundation for a recurrence of this disgraceful episode. God forbid that my native State, or any other State within

this Union, shall once again be prostrated at the feet of those whose motto is the "almighty dollar."

Where, may I again ask, is that unity, that singleness of purpose that carried our Nation to victory in the world's most gigantic struggle. What about those promises made under patriotic compulsion, that we would never forget those who fought so gallantly on the field of battle and those who labored so diligently in our mines, in our mills, and in our factories, to make possible that great victory.

Two years after the cease-fire order ended the greatest of all wars we see those, who shed crocodile tears over the need for national unity in wartime, engaged in an all-out economic war to hamper and even destroy organized labor. Why, I ask, would a sane America want to weaken our first line of defense against Communist ideology? Why would we want to destroy that very segment of our population on which our Nation must depend in the event of a third world war, that now appears inevitable?

After years of struggle to be freed from the constant threat of the Federal injunction, labor appeared to have reached the promised land through the enactment of the Norris-LaGuardia Act in 1932. This act was hailed by a labor spokesman "as a protective shield against invasion of rights that always belonged to labor." In 1947, however, the protective shield was badly cracked by the injunctive provisions of the Taft-Hartley Act.

The Taft-Hartley Act, Mr. Chairman, has revived the use of the Federal injunction in labor disputes and has reinforced it by directives for its immediate use by public officers against unions. The Thomas-Lesinski bill contains no provision requiring or authorizing the use of the injunction. The Taft-Hartley Act, however, had made such inroads upon the Norris-LaGuardia Act that in drafting the Thomas-Lesinski bill it was considered necessary to restore the Norris-LaGuardia Act to its original status.

The proponents of the Taft-Hartley Act have attempted to justify its injunctive provisions on the grounds that injunctions can be sought only by the Government; that they are not made available to private employers. Well, Mr. Chairman, in the first place, that is not entirely true. Section 302 of the act, relating to welfare funds and the check-off, provides for the use of injunctions to restrain violations of the section and such injunctions are not restricted to the Government.

But what difference does it make, Mr. Chairman, that only the Government can seek these modern, streamlined Taft-Hartley injunctions? Should that fact make them more palatable to the labor organizations which are restrained from striking, picketing, and other activities for legitimate objectives? Does the fact that the Government secures these injunctions make them any less effective in hampering workers in their exercise of basic rights? Obviously not. Indeed, the fact that the Government seeks these Taft-Hartley Act injunctions has a decided advantage for employers, not the least of which is that the costs and inconveniences of litigation are borne by the Government.

The history of the use of injunctions, Mr. Chairman, shows that the intervention of the Government made the injunction an even more oppressive weapon. It was the Government that accelerated the use of injunctions in labor disputes by showing the way in the Debs case. Injunctions had been secured prior to the Debs case, but after that case the trickle of injunctions became a flood. I do not think I would be wrong in saying that it was Government use of the injunction, more than employer use, that led to the passage of the Norris-LaGuardia Act.

Then there is the injunction authorized in section 10 (j), which permits the Board to seek injunctive relief in the case of any unfair labor practice immediately upon the issuance of a complaint and prior to the adjudication of the case by the Board. While this type of Taft-Hartley injunction is available against both employers and unions, the score thus far is 6 to 2 in favor of the employers.

The use of this injunction, Mr. Chairman, is discretionary with the general counsel and he saw fit to announce that he considered it a very sacred trust to be used sparingly and only "where either a large segment of the public welfare is endangered or where life and property are seriously and in reality threatened, or where there is a principle involved that will result in substantial and widespread irreparable damage or injury of more than a merely private nature."

Now let us look at the pressing issues which warranted resort to the use of this sacred trust in some of the cases against unions. One case involved the retail meat departments of 11 A & P stores out of a total of the 5,000 stores in the national chain. In the ITU case it was alleged that "there would be paralysis in the newspaper industry" although newspapers printed by substitute methods have continued to reach readers in the Chicago area despite a strike that has been in progress for over a year.

In another case, the Conway Express case, there were involved the operators of an independent freight carrier doing a small volume of interstate work, and a companion case arose out of a temporary cessation of deliveries at the shipping dock of one store outlet of the large Montgomery Ward chain. Where was the danger to a large segment of the public welfare, the serious threat to life and property, the substantial and widespread irreparable damage or injury of more than a merely private nature in these cases? Let us not place any more sacred trusts in an administrative agency which can lead to such an indiscriminate use of such a powerful weapon as the injunction.

The third type of Taft-Hartley injunction, Mr. Chairman, is provided in section 10 (1). This section requires the Board to seek injunctive relief against unions in the case of secondary boycotts and related matters. The employer really gets service under this provision. Such a complaint is given priority over all other complaints and if, after investigation, the Board's agent has reasonable cause to believe that a complaint should be issued, he must—it is mandatory—petition a Federal court for an injunction.

Furthermore, Mr. Chairman, in such cases a different test of coverage of the act is applied than in any other case. In a recent case the Board declined jurisdiction over a plastering contractor who had been charged with an unfair labor practice on the ground that his activities were essentially local and had only a remote and unsubstantial effect on interstate commerce. The Chairman of the Board stated, however, that the Board would not have a similar discretion to decline jurisdiction if the same case had involved a secondary boycott by a union. The effect of this is well stated by another member of the Board who disagreed with the Chairman. He stated:

> If the employer commits an unfair labor practice, the employees are left without redress; whereas if the union violates section 8 (b) (4) (A) the employer is afforded plenary relief.

I am sure the Chairman of the Board reached his conclusion reluctantly. He had no choice, however, under the provisions of the Taft-Hartley Act.

These mandatory 10 (1) injunctions, Mr. Chairman, can be secured only in the case of union unfair labor practices. In answer to criticisms of the one-sided nature of this provision, our opponents have tried to justify this one-sidedness by arguing that this injunction is directed at union practices which threaten the very existence of a business. What are some of these horrible practices, Mr. Chairman? In one case it was the distribution of an "unfair list" and peaceful picketing by one picket. In another case union members refused to work alongside of nonunion workers installing floor coverings, the nonunion men being employees of the supplier of the floor coverings, a retailer of housing material. These are typical of the threats to the existence of businesses which the Board has been required to enjoin under the Taft-Hartley Act.

These injunctions, Mr. Chairman, are issued after a summary proceeding which is in no sense a determination of the merits of the case. The summary nature of injunction proceedings is particularly objectionable when you realize that the effect of an injunction in a labor dispute is not to maintain the status quo, but to upset it by stopping the picketing, boycott, or strike and returning the situation to where it was prior to the action in question. In other words, Mr. Chairman, although these injunctions are supposed to be temporary relief pending the adjudication of the case by the Board, they really effectively and finally determine the outcome of the dispute.

The effect of these injunctions, Mr. Chairman, is to deprive unions of these economic weapons, because their effectiveness depends upon their use at the strategic moment. The lapse of time

between the issuance of the injunction and the final adjudication by the Board of the merits of the case does the union irreparable damage. If the Board later finds that no unfair practice has been committed by the union, there is no possible way to undo the damage done to the union by the injunction. The passage of time is a very effective weapon of advantage to the employer.

Some supporters of the Taft-Hartley Act are willing to retreat to the extent that they will remove the mandatory-injunction provision and leave only the permissive injunction. The new Wood bill makes two major changes in the injunction provisions of the Taft-Hartley Act. Both are more objectionable to labor than the Taft-Hartley bill itself.

It removes the provision making it mandatory for the general counsel to secure an injunction against an unfair labor practice as defined in sections 8 (b) (4) (A), (B), and (C)—secondary boycotts—the bill would grant new and broad injunction power to the general counsel. In section 10 (j) of the Wood bill, it is provided "whenever it is charged that any person has engaged in an unfair labor practice under this act, the general counsel may petition any district court of the United States for appropriate injunctive relief pending the final adjudication of the Board with respect to such matter." This means that the general counsel may secure an injunction as soon as a charge is filed with a regional office and before any complaint has been issued in that case.

Section 10 (j) also permits the court to grant a temporary restraining order, an ex parte proceeding—to be effective for not more than 5 days—without any notice or hearing to the party against whom the injunction is issued. Here we have an example of a real labor czar with unlimited powers. I object, and I am sure other Members of the Congress object, to placing such legal authority in the hands of an executive officer.

I want no part of the injunctive provisions, permissive or mandatory. I am basically opposed to any legislative enactment that contravenes a citizen's constitutional guarantees to the right of free speech, free press, and the right to a trial by a jury of his peers.

Injunctions are inherently one-sided since they are much more effective against unions than employers. The effectiveness of the economic weapons of unions depends upon their use at the strategic moment and I do not want any general counsel tipping the scales in favor of employers by exercising his discretion to seek an injunction. The history of labor legislation, excluding of course the Taft-Hartley Act, is the history of efforts to free labor from the pressure of poorly informed and sometimes hostile courts.

The supporters of the Taft-Hartley Act have ridiculed the charge that there has been a revival of government by injunction and have pointed to what they describe as the limited use of Taft-Hartley injunctions. As of January 31, 1949, Mr. Chairman, 41 injunctions had been sought under sections 10 (j) and (l) of the Taft-Hartley Act, all but two of which have been directed against unions. Thirty-nine petitions for injunctions against unions in a period of 18 months. When you consider the far-reaching effect of the injunction upon the relationships of the parties to a dispute, you must agree that this is a high number in a period of generally favorable economic conditions. Compare this number to 83 cases brought under the Sherman Act during the period of 1890 to 1930—83 injunctions in 40 years against 39 injunctions in 18 months. The charge of government by injunction is well-founded.

The fourth Taft-Hartley injunction is that provided in section 208, which authorizes the President to direct the Attorney General to petition for injunctive relief against work stoppages of a national emergency character. Authorities in the field of labor relations have testified that an injunction in most cases serves to aggravate a dispute and to delay its settlement. Of course that criticism is directed to the effectiveness of injunctions. The most ardent supporters of the Taft-Hartley legislation must agree that in the period of slightly less than 2 years in which the law has been operating, it has never settled a single labor dispute through injunctive procedure. In all the instances where the injunction was resorted to, the strike was finally settled around a bargaining table. One instance was the bituminous coal strike of 1948 where the final settlement on a contract was reached 12 days after the expiration of the 80-day period provided for in the injunction procedures.

Once more the Wood bill goes a step further than the existing Taft-Hartley Act in that the procedure for dealing with national emergency strikes is so changed so that the President must get an injunction before he can use the procedure of appointing a board of inquiry to determine the facts in the case. In effect, this provision means that the President may not attempt to use the board-of-inquiry method for settling the dispute until he has secured an injunction to force the workers to continue at their jobs or to return to them.

Here you have a grave constitutional question in which you deny the worker the right to strike. This new move of the coalition against labor is aimed solely at weakening the President's position in settling strikes affecting the national welfare. It kills the 30-day cooling-off period provided in the Lesinski bill and if adopted, would kill the 80-day inhibition against strikes contained in the present Taft-Hartley Act.

I am convinced, Mr. Chairman, that regardless of their effectiveness, the use of injunctions in these situations is fundamentally bad. They increase the resentment of workers who are compelled to work for private employers with no comparable burden put upon the employer and encourage employers to refuse to bargain, knowing that they will have the labor of their employees for at least 80 days on their own terms. In effect, Mr. Chairman, this injunctive provision presents to employers a gift of the forced labor of their employees for a period of 80 days. The injunctive provisions of the Taft-Hartley Act have been aptly described as hateful and unnecessary. The sole test of a labor-management law should be its effectiveness in promoting collective bargaining and peaceful industrial relations. The sanctions of the injunction, with its overtone of compulsion, will never create harmonious relationships between management and labor.

There is no justification for arbitrary legal prohibitions or compulsions in labor-mangement disputes, no matter how pressing the need for such steps might appear to be in the heat of the moment. The distinction between strikes that affect the public health and safety and strikes that do not is an extremely questionable one, and it is easy to confuse mere inconvenience with emergency. It is safe to say that we have never had a strike in this country that created a genuine national emergency involving a clear and present danger, as distinguished from temporary inconvenience. No such emergencies occurred during the years when the Norris-LaGuardia Act was in full force and they will not occur when that act is restored to full force. Workers and their leaders are no more unpatriotic and no more immune from the force of public opinion than any other groups in our society.

Only a police state can abolish strikes. No country which values free labor can abolish strikes in any industry, however affected with the public interest, so long as the employers are private persons or corporations. The ambiguous and yet undefinited terms "national emergency" and "public health and safety" have been used to cloak a multitude of sins—it should be recalled that Hitler used them to seize and secure his total power over the lives of the people of Germany. Surely a law which justifies and makes possible suppression of the basic freedoms by the Government on these vague grounds creates a greater inherent threat to the public welfare than the contingencies at which it is aimed. The enactment of a law that impairs the rights of one group today establishes a precedent for the impairment of those of other groups tomorrow.

It is revealing that those who have been the most insistent in their use of the catch-all phrase "public health and welfare" to justify the suppression of free collective bargaining in wide sectors of industry are the same ones who oppose most strenuously Government activities designed to further the public health and welfare in limited fields where a genuine need is most apparent and readily definable, such as housing, social security, and health insurance. Their pet peeve is summed up in the phrase "creeping socialism." They are really the mouthpiece for the United States Chamber of Commerce and the National Association of Manufacturers.

Where this injunction procedure has been used, it has definitely hindered the ironing out of grievances and that voluntary mutual agreement between the parties directly concerned that is the essence of collective bargaining and the only sound basis for lasting industrial peace and stability. Strikes are not the causes of industrial unrest but the effects of more basic underlying grievances. The arbitrary suppression of effective

protests against those grievances only serves to aggravate them further and build up pressures that would be bound to eventually culminate in an outburst that all the laws on the books could not control.

Speaking facetiously, Mr. Chairman, may I make the point that all that labor wants out of the Eighty-first Congress is its "two front teeth" which were kicked in by the Taft-Hartley law.

More seriously, Mr. Chairman, labor does not plead for charity. It demands equal justice under law. The right to free collective bargaining. The right to be a part of this great America of ours on an equal footing with all other segments of our society. To grant their plea the Congress must repeal the Taft-Hartley Act and reject the vicious provisions of the proposed Wood bill as a substitute for the pending legislation.

I trust it will be the privilege and the pleasure of the House to grant labor's plea.

The CHAIRMAN. The time of the gentleman from West Virginia [Mr. BAILEY] has again expired.

Mr. McCONNELL. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. GWINN].

Mr. GWINN. Mr. Chairman, according to the schedule which the minority side has worked out under the gentleman from Pennsylvania [Mr. McCONNELL], I am going to treat the subject of strikes in national emergencies.

It should be perfectly apparent that we must have industrial order and industrial law just as we have civil law. Without industrial law and procedure we will have anarchy, licensed and legalized, just as we might have lynching, without civil law.

Our trouble with regard to strikes and injunctions, which the gentleman from West Virginia [Mr. BAILEY] dwelt upon, probably would have been settled under the common law, and gradually worked out in the absence of special legislation. When strikes, under the common law, became concerted action, conspiracy, and a fraud against the individual as well as the public, the courts dealt with such lawlessness. We got into difficulties. Conditions were rough in relations between management and labor. Strangely enough, most of the evils of strikes and injunctions that the gentleman from West Virginia [Mr. BAILEY] described were a quarter of a century ago. We had not worked out our civil rights in labor relations. I, for one, would be in favor of repealing the Taft-Hartley Act if at the same time we should repeal the Wagner Act, and go back to the free society, rough and tough as it might be. We should be able to work it out under the common law. But we quit that possibility with the Norris-LaGuardia Act. At that time we began to exempt labor unions entirely from the law. We made them anarchists on their own account. They could strike and picket and commit violence; after that there was no satisfactory legal procedure by which order could be restored.

Now we have a system of law that has been developing over the past 15 years, a system of procedures in the Labor Relations Board, in the general council, in conciliation, and in the courts. There is no excuse now for labor not to submit to law and regular proceedings like any other individual or group must submit to law. Certainly, labor cannot be the one exception to the law, the one group that is free to take the law into its own hands. It cannot be allowed to decide what is right by mere men compelling other men to do right or to cease from doing wrong through the compulsions of an individual or a group of individuals without regard to the law or the courts. Under that exemption from law, the Wagner Act was a specific invitation to one group alone in our society to do as it pleased. It was invited to settle its own affairs according to strikes, picketing, and compulsion.

In 1946 we experienced the evils of the railroad strike. That was so bad, prior to the Taft-Hartley hearings, that the President himself introduced a bill in this House to draft the railroad employees into the Army in order by that method to compel the settlement of the railroad strike. Then we got into the coal strike with no law covering the situation. At a nod or a wink, which the court described, 400,000 men quit instantly in an industry Nation-wide, by concert of action in the digging and transporting of coal in the wintertime. That had been a regular annual occurrence for years; something dreaded by the whole Nation. There was no adequate law or procedure to deal with the problem. Squads of rough, tough guys would ride roughshod through a town to warn the people to obey the arbitrary will of a single boss, affecting the property rights of owners, the right to work of individuals, and ignoring completely the public health and safety.

You all remember that. Then came a series of other acts of violence. Whole States were paralyzed by strikes. Half of the State of Pennsylvania was in the grip of a beer war carried on by widespread violence of the transport union.

The provision in the Taft-Hartley Act known as the National Emergency Provision, section 206, was enacted as a result. May I read it to you:

SEC. 206. Whenever in the opinion of the President of the United States a threatened or actual strike or lock-out affecting an entire industry or a substantial part thereof engaged in trade, commerce, transportation, transmission, or communication among the several States or with foreign nations or engaged in the production of goods for commerce will, if permitted to occur or to continue, imperil the national health or safety, he may direct the Attorney General to petition any district court of the United States having jurisdiction of the parties to enjoin such strike or lock-out or the continuing thereof; and if the court finds such threatened or actual strike or lock-out.

First, affects an entire industry or a substantial part thereof engaged in trade, or if permitted to occur or to continue will imperil the national health or safety, the Attorney General shall have jurisdiction to enjoin any such strike, or lock-out, or the continuing thereof for a period of 80 days.

This does not in any case refer to the right of the individual to quit work. Nobody can argue in reason that when 400,000 men in an entire industry covering a whole nation and the source of supply of the whole nation quit on the tick of a watch in concert that that is merely the exercise of the right to quit work in the ordinarily accepted term. That is instead a conspiracy against the public. It is a use of force, a taking into their own hands the exercise of rights over the property of others and over the rights of individuals to work or not to work, all of which is accompanied generally by violence or threats of violence. Those 400,000 men are not exercising the right to work or not to work as individuals. Their rights are subjected to the whim and will of another mere man who alone gives the nod restoring those individual rights and the rights of property and the health and safety of the public. He alone grants or denies industrial peace.

The Taft-Hartley law covered, therefore, a conspiracy, a lawless act and violence that protected rather than violated constitutional rights.

The best test to find out whether it works honestly and fairly and by orderly procedure is to review very briefly the national emergencies and threatened strikes since the Taft-Hartley Act.

We start with the injunction secured in the atomic-energy case. There the court found, and the affidavits so stated, that the experimentations going on at that time, which was March 5, 1948, in the most critical laboratory of all, having to do with one of the two known materials that have to do with the making of atomic energy and having to do with the carrying on of the national defense, was selected by a group of labor unions for a strike. On the basis of maintaining the continuity of that delicate operation and of our national security, the court granted an injunction. After the appointment of a fact-finding board and after conciliation services were brought to bear under the act, the strike was settled.

In the same month, on March 16, a meat-packers strike was threatened and another national emergency was created. The President immediately declared a national emergency affecting the health of the people and the Attorney General secured an injunction. In that case, and after orderly procedures, the meat-packers strike was settled. There was no disorder; there was no violence to speak of, there was no endangering of the public health, there was no violation of property rights.

And so we went into the second threatened coal strike, into the communications strike, into the maritime strike in June 1948, and finally again into the coal strike of June 1948.

I have copies of the documents here before me. They are perfect representations of what legal procedure does in order to bring about orderly settlements. The final order in the atomic-energy case illustrates fairly well what has happened under this provision of the land. Here is a part of the order of the court:

And, upon the oral hearing of the application of the United States of America for such temporary restraining order, counsel for all defendants—

That is, all of the unions; there were something like 20 of them—

having agreed and stipulated in open court that further hearings are unnecessary and are waived and that, in lieu of the entry of such temporary restraining order and a further hearing on plaintiff's application for a preliminary injunction and for further relief, a final injunction as contemplated by sections 208–210 of the Labor Management Relations Act, 1947 may be entered against all defendants in this action on the basis of the showing made at the application for the temporary restraining order.

In other words, the whole business had been satisfactorily settled out of court. The 80-day cooling-off period had worked.

In the Thomas-Lesinski bill there is no such orderly legal procedure provided for at all. First, it provides that the President may make a proclamation in the case of a national emergency in which he asks the parties to desist just as he might make a proclamation for Thanksgiving, asking the parties to observe Thanksgiving or asking the Nation to observe National Flower Week, or some other national occasion, with no power whatsoever to carry out anything.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. GWINN. I yield to the gentleman from Michigan.

Mr. CRAWFORD. As an illustration, I think it was last year, the President appealed to the commercial bankers of the United States to soften down on the aggressiveness of making loans, to make loans more restrictive, in the hope of doing away with some of the inflationary forces. The bankers were not obligated except from the standpoint of protecting the public generally, and, had they not responded, they could have gone on. Now, as I understand the gentleman, under this condition the President would simply make a proclamation that there is an emergency and solicit the assistance of the two parties carrying on the strike which interfered with the national welfare.

Mr. GWINN. Exactly so; exactly as he might have returned to the 1946 period, when he might have proclaimed to all of the railroads in the country, "Gentlemen, there is an emergency; there is snow and ice on the ground; it is terrible to contemplate the shutting down of the railroad systems of the United States." And, yet, that is all he could say, and that is all he did say, and it did not work. So, he had to ask the Congress to draft the men into the armed service. In the coal strike it was the same thing.

Mr. DOYLE. Mr. Chairman, will the gentleman yield?

Mr. GWINN. I yield to the gentleman from California.

Mr. DOYLE. The gentleman referred to the provision of the Thomas-Lesinski bill as just giving the President the power to make a declaration. Is it not true that under that provision the President is given the power to appoint a board with power of investigation, power of research, and power of recommendation?

Mr. GWINN. That is right.

Mr. DOYLE. For a period of 25 days.

Mr. GWINN. Now then, let me go on.

Mr. DOYLE. But the gentleman has not stated that yet.

Mr. GWINN. I have not gotten through stating the first one yet. I have here my notes, which I interrupted to answer the question.

Mr. DOYLE. I beg the gentleman's pardon, but he should state that fact.

Mr. GWINN. I understand that, and I intend to cover the whole thing.

The proclamation itself has no more power in it than what I have said. The President also has the power to appoint a board to study the situation for 25 days if he declares there is an emergency in national health and safety, but what is his remedy after the board reports? The third provision of the bill is to the effect that his remedy is to request or direct the men to go back to work, with no power to make them go back. If he had that power, that clearly would be unconstitutional. He would be attempting to tell men as individuals, after they have struck and are back home or are working someplace else, to go back to work. But he is without any legal authority to compel them to do so. And he should have no such power. That would be bad in every respect. It violates section 502 of the act. Let me read it to you. It protects the individual's right to work or not to work:

SEC. 502. Nothing in this act shall be construed to require an individual employee to render labor or service without his consent, nor shall anything in this act be construed to make the quitting of his labor by an individual employee an illegal act; nor shall any court issue any process to compel the performance by an individual employee of such labor or service, without his consent; nor shall the quitting of labor by an employee or employees in good faith because of abnormally dangerous conditions for work at the place of employment of such employee or employees be deemed a strike under this act.

The Thomas-Lesinski bill presumes to give the President power to request or direct without any real authority to exercise compulsion to go back to work, which would be a definite violation of the individual's right. The original Taft-Hartley act and the Wood bill which is proposed make a very great and fundamental distinction in law. The whole process of conspiring as a group to strike in the first place is the illegal act, and the union officials, such as Mr. Lewis, are directed by the injunction not to make the nod in the first place which commits 400,000 men on a national scale to strike. It stops men from conspiring in the first place as an illegal act. It fines the leaders who commit the illegal act. The injunctive process stops the illegal acts instead of trying to compel the individual men go back to work once they are out.

Our plea is that we submit ourselves to legal procedures. That we govern ourselves according to laws. That we put strikes and closed shops and all such exercises of individual compulsory power of men over other men without legal process as wholly illegal and violent and contrary to the concept of a free society under law.

Mr. KELLEY. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, I take it that the gentleman from New York who just preceded me does not believe in the principle of free collective bargaining. At any rate he has done his dead level best to keep the Taft-Hartley law on the books ever since hearings started before the Committee on Education and Labor. He has referred many times during the debate to the necessity of the injunction and has referred to coal strikes. Since the enactment of the Taft-Hartley law we have only had two work stoppages in the coal industry. The first was in 1947, when there was a memorial period commemorating the Centralia mine disaster which killed 111 coal workers in Illinois. There were no walk-outs in protest against the passage of the Taft-Hartley Act.

On June 30 the mines were returned to the private operators and a brief stay away followed until the new contract was completed giving the miners additional benefits together with 10 cents a ton for welfare funds, which was justifiable inasmuch as no new contract was completed.

In 1948 the dispute was over the disbursement of welfare and retirement funds which was later settled in a manner which was detailed here this afternoon. No one will argue that their leader should be condemned for holding out for a well-financed welfare-fund royalty.

Concerning these gentlemen who have undertaken to defend the Taft-Hartley law and the amended Wood bill, I think we should look in the background and see who is the author of the Taft-Hartley law, and see whether or not it undertakes to protect free collective bargaining. In my judgment it puts the Government on the side of management. In other words, instead of letting the unions and management bargain at the bargaining table, as the Wagner Act did, and which was the basis of the Wagner Act, the Taft-Hartley Act enables management to take a seat at the bargaining table and destroys the principle of free collective bargaining. We have heard much talk about the authorship of the Taft-Hartley law. I wanted to ask the gentleman from Pennsylvania, the ranking minority member of the Committee on Education and Labor, if he had yielded to me earlier this afternoon, if he would be willing to accept the name of the amended Wood bill.

Mr. McCONNELL. I am sorry; I do not understand the gentleman. What does the gentleman mean?

Mr. PERKINS. I mean, would you be willing that the amended Wood bill carry the name of McConnell?

Mr. McCONNELL. That is agreeable to me. I have nothing against the Wood bill.

Mr. PERKINS. Mr. Chairman, when these hearings were being conducted a lawyer by the name of Gerald D. Morgan appeared before the House Committee on Education and Labor. He revealed the backstage draftsmanship of the House bill. He stated that he had first obtained permission from ex-Representative Hartley and Congressman HALLECK, of Indiana, before appearing before the committee. He stated that several months after the Taft-Hartley law was enacted he received compensation from the Republican National Committee. In the course of that hearing I

asked Mr. Morgan this question. You will find that question on page 1160 and following of the hearings which were held before the Committee on Education and Labor:

I want to make the observation that I have been wondering, ever since we started these hearings, up until I heard this witness, just who prepared the act. I am glad to have this information along with the other counsel who assisted you in the preparation of the act.

I notice from your statement that you applied approximately 24 hours a day in drafting the act for a period of several months, and that you received no compensation until several months after the bill became law. You further stated that when you were paid compensation you were paid by the Republican National Committee and that you had no contract with Representative HALLECK or Mr. Hartley concerning what your compensation would be.

Inasmuch as you applied yourself so diligently and you have disclosed the fact to the committee, would you mind telling the committee just how much compensation you received from the Republican National Committee for this difficult task that you have detailed to the committee?

Mr. MORGAN. No, sir, I would not. I received $7,500.

Mr. PERKINS. That is, from the Republican National Committee.

Mr. MORGAN. Yes, sir.

The successful efforts of the Republican National Committee in getting the Taft-Hartley law enacted was the first step to take away the gains and benefits which the laboring people received during the 13 years under President Roosevelt. The so-called amended Wood bill is the second attempt of the Republican leadership to hold fast to all gains under Taft-Hartley by forming a coalition group and sponsoring a bill to be offered as an amendment which is even more drastic on the principle of free collective bargaining than Taft-Hartley.

In committee, the original Wood bill was offered as a substitute for the Lesinski repealer, by the ranking Republican member of the Education and Labor Committee, and the Democratic members voted down their substitute.

In comparing the amended Wood bill with the Taft-Hartley Act, you will readily detect that the name of Taft-Hartley is eliminated. Notwithstanding the fact that the bill repeals the Taft-Hartley Act and reenacts the Wagner Act; the latter, however, is amended by provisions taken either verbatim or in substance from the Taft-Hartley Act except in a few instances. Although we have a change of name, we still have the Taft-Hartley law incorporated in this so-called Wood bill.

The Democratic Party will not stand idly by and permit the Republican leadership to swap names and at the same time pass another labor law which in some respects is more drastic and oppressive on labor unions than Taft-Hartley.

Now, looking a little further into the background of the Taft-Hartley law, let us see just who did prepare this bill.

Mr. Morgan stated that he was the only person other than the Representatives who sat in on all of the executive sessions during the drafting of the entire Taft-Hartley law. He stated that he received technical assistance from one Gerald Reilly. The evidence before our committee showed that Gerald Reilly at the time of the hearings was receiving $3,000 a month as a lobbyist from General Electric, not considering his many other corporate clients. Mr. Morgan also stated that he received technical assistance from Theodore Iserman, chief counsel for the Chrysler Corp.

The gentleman from Pennsylvania [Mr. MCCONNELL] in those hearings made the comment, and I quote his comment. This is the gentleman from Pennsylvania [Mr. MCCONNELL], the ranking minority Republican member of the committee.

He said:

If you had said $25,000 I would not have been surprised, knowing the charges for that kind of work throughout the country.

Here is what Mr. Morgan said about the original draft of the House Taft-Hartley bill:

I have taken the Smith committee amendments to the Wagner Act that had passed the House in 1940, and the vetoed Case bill that had passed both Houses in 1946, combined the two into one document for working purposes, and had incorporated therein a number of additional ideas.

He used those for his preliminary discussions.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. KELLEY. Mr. Chairman, I yield five additional minutes to the gentleman from Kentucky.

Mr. PERKINS. The average American would be shocked to know that the so-called Taft-Hartley bill was written by the most vicious big-business lobbyist and paid for by the National Republican Committee rather than being written as a fair law to provide equality of bargaining power between management and labor.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield.

Mr. HALLECK. I think the record ought to be straight. What was Gerald Reilly's position at the time of the drafting of this legislation? Is it not true—I am not sure about it, I do not believe I know Mr. Reilly; I do not think I would know him if I saw him, but my understanding is that he was special counsel to the Senate committee at that time; and certainly I believe the gentleman wants to be fair about this.

Mr. PERKINS. Yes; that is right. He was special counsel for Senator Ball, so I am informed.

Mr. HALLECK. It was my understanding that he was special counsel for someone in connection with the drafting of the legislation.

Mr. PERKINS. I do not believe that he was employed by the House Committee on Education and Labor. I think that was brought out. As I understand, he was chief counsel for Senator Ball.

Mr. JACOBS. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield.

Mr. JACOBS. I believe it was well understood by our committee that he was special counsel for someone; we did not know whom.

Mr. PERKINS. I accept the correction from the gentleman from Indiana.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from North Carolina.

Mr. BARDEN. Good names are hard to make and preserve; slurs are very cheap and easy to make. The gentleman has been making some statements here concerning Mr. Gerald Morgan.

Mr. PERKINS. Yes.

Mr. BARDEN. Let me say to the gentleman that Mr. Morgan was for a long time counsel for and served the Committee on Labor of the House of Representatives; he was a member of the drafting staff of the House of Representatives. He was regarded by every man who knew him as one of the finest young men who has ever served with us in such capacity. I believe that statement will be concurred in by everyone.

Whatever the gentleman has to say concerning whom he represents is all right with me, but I may say to the gentleman that Jerry Morgan never told you a lie; Jerry Morgan never tried to mislead you; Jerry Morgan never refused any answer that related to anything he did. I just thought that ought to go in the RECORD. He is no employee of mine; I do not even know what State he is from; I do not know what his politics are, and I do not care; but in my opinion Jerry Morgan is a young man of fine ability trying to make a living, and I am not going to sit idly by and let him be slurred.

Mr. PERKINS. In response to the gentleman from North Carolina I wish to state that in my judgment Mr. Morgan is a very astute lawyer, and I do believe that he told the whole truth before the committee when he appeared as a witness. As to whom he was employed by at the time he drafted the act I am not certain; and I want to make the correction in that regard because I was informed that he was counsel for Senator Ball, although that may be incorrect.

Mr. BARDEN. Who is that?

Mr. PERKINS. Gerald Reilly.

Mr. BARDEN. In other words, the gentleman knows nothing improper about or nothing that was detrimental to the good name of Jerry Morgan.

Mr. PERKINS. No; I do not know anything.

Mr. LUCAS. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Texas.

Mr. LUCAS. The gentleman has referred to who wrote the Taft-Hartley Act or law. Can the gentleman tell us and tell the Members of this House who wrote the Lesinski bill?

Mr. LESINSKI. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Michigan.

Mr. LESINSKI. Our Members helped us draft that bill. That is in the record in the Senate.

Mr. PERKINS. In my judgment, the Thomas-Lesinski bill was prepared by

Members of Congress for the administration.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. KELLEY. Mr. Chairman, I yield the gentleman five additional minutes

Mr. PERKINS. Mr. Chairman, H. R. 2032 is a bill which restores the national policy of free collective bargaining and adds some provisions designed to make the policy even more effective. I want to take a few minutes to explain why, in that bill, we did not include two provisions that are in the Taft-Hartley Act—the provisions requiring the filing of a non-Communist affidavit by representatives of unions, and the use of the injunction in so-called unfair-practice cases of employees as well as in labor disputes.

The elimination of Communists would seem to be the purpose of this provision of the Taft-Hartley Act, but it does not accomplish that. The act affects only a limited number of officers. If these do not sign non-Communist affidavits, then none of the members of the union nor the union itself can avail themselves of the services of the NLRB.

But, at the same time, the union cannot protect itself under the Taft-Hartley Act against disrupters and Communists so long as they pay their dues. They now have rights which the Taft-Hartley Act seeks to protect. It is an unfair labor practice to require the employer to dismiss these disrupters and Communists. If they pay their dues, they can continue to propagandize among loyal workers; they can continue to bore from within; they can continue to agitate for quickies and for political strikes; they can continue to make the life of the union precarious in every way.

Is that the way to weaken the influence of communism in unions?

Communism is a major issue of our time. Let us deal with it as a whole, not in this underhanded way, which strengthens the influence of Communists in unions, on the one hand, while, on the other, it tries to create the impression that Communists are to be found only in unions.

As President Green, of the American Federation of Labor, pointed out at our hearing, we need to repeal the Taft-Hartley Act as an object lesson that unions are free in the United States and that they are encouraged by law to attain equality of bargaining power with employers and corporations.

Of all the provisions in the Taft-Hartley Act, the return to government by injunction is the most objectionable. Injunctions prejudge cases when they are issued at the request of the Government, just as they do when issued at the request of the employer. For practical purposes, the issue of an injunction in an unfair-practice case is an immediate victory for the employer. It settles the issue in the employer's favor and the union rarely finds it advantageous to continue the case in the hope of overcoming the prejudice thus created.

The provision in the Taft-Hartley Act regarding the handling of strikes or threatened stoppages which would jeopardize the national health and safety is the wrong way to approach this problem. The Director of Conciliation testified before the Senate committee that they sometimes had to stop negotiations at a critical period before the dead line provided in the act was reached in order that a board of inquiry might be set up, since a report had to be filed before the President could ask for an injunction. The result was that weeks before the dead line firm positions were taken and negotiations effectively cut off. Then the Board made its report without recommendations, injunctions were sometimes issued, and the question became, not one of settling the controversy but rather of living up to the terms of the injunction. According to the former labor-relations director for New York City who appeared before our committee, the emergency strike provisions of the Taft-Hartley Act hindered the settlement of the tugboat and longshore disputes in New York.

The Lesinski bill recognizes that there may be national emergencies because of an actual or threatened work stoppage and that the public interest must be protected, but it avoids the use of the injunction process of unhappy experience.

When the President declares that a national emergency exists, he may appoint an emergency board to investigate and make findings and recommendations, which are not permitted under the Taft-Hartley Act, thus missing the opportunity to focus the interest of the parties and the public on a reasonable solution. The status quo will be maintained without the threat of an injunction, as it has been under the Railway Labor Act. This is generally acceptable to both labor and management.

There is no record that the use of the injunction as provided in the Taft-Hartley Act has either solved industrial-relations problems or provided a guaranty against work stoppages. In a number of cases a strike ensued after the entire waiting period was consumed. The effect of the injunction was to delay the strike and then to delay the settlement while discussing the issues raised by the injunction.

The provision in the Lesinski bill shortens the waiting period to 25 days, but it requires that the status quo be maintained during this period and that the board of inquiry make actual recommendations. According to the most experienced men in conciliation and mediation, this is an improvement over the provisions in the Taft-Hartley Act and makes completely unnecessary the resort to the injunction process.

In my judgment—and I do not think that this committee can get away from it, when you consider how this Taft-Hartley Act was drawn up and how big business operated in drafting the Taft-Hartley Act—that we cannot permit the Taft-Hartley Act to stand on the books, and neither will we permit a change to the Wood bill, which is nothing more or less than Taft-Hartley No. 2 that carries some added features, which makes the injunctive power more destructive to labor.

Mr. McCONNELL. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Chairman, I have never been very much given in my service in the House of Representatives to getting up over a tempest in a teapot. But since the matter has been brought up here, I am very happy that the gentleman from Kentucky, who has just spoken, has done what he has to lay the ghost of the charge that the NAM or the Chamber of Commerce or some other business organization wrote the Labor-Management Relations Act of 1947. He has helped to establish that the act was written by Members of Congress in the exercise of their legislative responsibility.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Kentucky.

Mr. PERKINS. I just wish to state that it would be my best guess that the NAM furnished the money.

Mr. HALLECK. Well, the gentleman can engage in guesses all he wants to, but there come times when people ought to speak with authority and with integrity. The gentleman should know that his guess is wrong.

The gentleman spoke of Jerry Reilly being employed by General Electric. I do not know whether he is or not. But, I have just had inquiry made, and I understand that——

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. Let me first answer the gentleman. I have had inquiry made and I am informed, not knowing him, and I do not now know what his employment is, but at the time this legislation was being written Jerry Reilly was on the professional staff of the Senate committee. So the gentleman from Kentucky made the wrong guess there.

As far as Jerry Morgan is concerned—and my interest in this is probably as much because of the insinuation about his character or capacity as anything else—I first became acquainted with Jerry Morgan when I met him as an active member of the Legislative Drafting Service of the House of Representatives. I was actively associated with him in his official capacity many times. Since 1935 he had much experience in drafting labor legislation. When it became necessary to arrange for the services of a technician to do the work of drafting legislation to express the policy determined by Members of Congress, I could think of no better person to do the job than Jerry Morgan. He worked on the legislation for almost 6 months for the Members of Congress and no one else, and I saw to it that he was honorably paid for his services.

In my contacts with him I always found him to be completely objective, completely fair, and recognized as undoubtedly the best and ablest authority on matters of labor-management legislation in the whole country.

May I say to my friend from North Carolina that he happens to be a registered Maryland Democrat, first employed by a Democratic Congress. I agree with

the gentleman from North Carolina that he has the confidence and the respect of every man who has served in the Congress who knows him, and I challenge anyone to say anything different.

The manner of his payment was all down on the records in the reports of the committee. I might have put him on my staff to fill the job of administrative assistant, but I never filled that position all the time I was majority leader, for 2 years. I saved the Government a little money by practicing a little economy. However, there were reasons why, from his standpoint as a practicing attorney, with absolutely no connection to prejudice or embarrass him at all, that was not desirable.

So I make no apology for the conduct of the matter. The truth of the matter is that I am glad that this tempest in a teapot has been raised, because it definitely establishes for everyone to know and understand that this Labor-Management Relations Act was written by the Members of Congress who were charged with that responsibility, obtaining the technical assistance and service of an acknowledged authority in helping them, not to write his opinions into the legislation, but simply to do the technical work. That, I may say to the gentleman, as he stays here through the years, if he does, he will find to be highly valuable in writing the legislation the Congress has to pass on.

When we Republicans came in to control of the Eightieth Congress we could not and did not send down to the departments to have a flock of Government lawyers run up here to go to work. The chairman of the committee has said very frankly that the administration helped to draft the present measure. I assume that is right. I trust they conferred with some of the members of the committee up here. I do not believe they conferred with the gentleman from Pennsylvania [Mr. MCCONNELL], who is the ranking Republican member or any other member on our side.

Certainly the manner in which the legislation was written in the last Congress—the Eightieth Congress—ought to commend itself to every fair-minded person in the country. It was a job tackled and done by Members of Congress in the discharge of their responsibility. The bill was then taken before the committee and read for amendment line by line over a period of several days, with 29 amendments adopted. Then the bill went through the process of consideration and amendment on the floor of the House of Representatives.

I say that is something which contrasts with the situation that exists here today, when we have before us a bill drafted by goodness only knows who, after consultations with no one knows who, brought up here and rubber stamped by the committee, written before hearings were held, not after hearings were held, sought to be brought to the floor by the chairman of the committee under a gag rule that would foreclose any amendment, seeking to force the House of Representatives, a great representative, deliberative body, to rubber stamp it without even having a chance to amend it. If that is representative government in action, I cannot see it.

Mr. KELLEY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I think some Members are probably mistaken. Nothing has been said which would cast any reflection upon the character or reputation of Jerry Morgan. The point is that the Republican National Committee paid him. The gentleman from Indiana says that they did not have control of the executive branch of the Government and therefore they could not call experts from that branch to write the legislation. What was the matter with the committee of the House at that time, the Committee on Education and Labor, paying? That is the point.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. KELLEY. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. BURKE].

Mr. BURKE. Mr. Chairman, 2 years ago an enlightened Federal program for dealing with labor-management relations was brought to an abrupt end by the Eightieth Congress. In the words of one who should know, and I now quote from page 3 of a book entitled "Our National Labor Policy," by Mr. Fred A. Hartley, Jr., a former Member of this body:

> The enactment of the Taft-Hartley Act marked the beginning of a new national labor policy.

The basic purposes of our national labor policy, prior to the enactment of the Taft-Hartley Act, were to encourage collective bargaining and to protect the rights of workers to organize and designate representatives of their own choosing for the purpose of collective bargaining. Accordingly, the Wagner Act was a simple piece of legislation which legally guaranteed to workers the free exercise of an inherent human right by requiring of employers only that they refrain from using certain unfair practices which interfered with the right of workers to organize and that they, the employers, bargain with the freely chosen representatives of their employees. The Wagner Act provided the minimum of Government interference with the voluntary procedures of free collective bargaining upon which our national labor policy was and should be based. The Wagner Act stated briefly its requirements; established the Board to administer them; provided for judicial enforcement and review; and established a minimum of procedures for the guidance of the Board, properly leaving the further development of administrative procedures to the Board's discretion. To repeat, Mr. Chairman, it was a simple act which could not be less meddlesome.

The Eightieth Congress in a period of emotional stress transformed this uncomplicated act into an intricate piece of legislation into which was placed every provision inspired by the "there ought to be a law" complex which so many persons seem to have—provisions dealing with matters of public policy outside the proper scope of labor-management legislation, provisions collateral to and not directly connected with the subject of labor-management relations.

In the limited time allotted, I want to speak briefly about this one basic issue of national policy in this debate and about three among the many errors contained in the Taft-Hartley Act which contributed to the break-down of the act itself which has now come about.

The basic question is the matter of a national labor policy.

The errors are the writing into the Taft-Hartley Act of one, the requirement that the Department of Labor and the National Labor Relations Board shall be furnished with facts about the internal organization of unions and financial statements; two, the requirement that before unions can apply for the advertised protection of the act the union officials shall execute affidavits swearing that they are not members of the Communist Party; and three, the so-called mutual obligation to bargain laid upon employers and upon unions.

These three errors are typical of many embedded in the Taft-Hartley Act. It was this assortment of fishhooks and legal booby traps planted throughout the act that justified the comment, made immediately upon the passage of the law in 1947, that the Taft-Hartley Act was hell for workers, purgatory for employers, and heaven for the lawyers. Experience since that date has shown that statement to have been fact.

Today, as the inevitable result of the attempt to put labor relations in this country in a legal strait-jacket, to say "thou shalt" and "thou shalt not" at every hour in the daily relationships between workers and management, with stipulated procedures, with the continual overhanging threat of arbitrary use of the injunctive power by the NLRB general counsel at the request of the employer, with both the NLRB and the Labor Department bogged down in paper work required under these and other evil provisions, the administration of the act is a complete and utter failure. It has broken down. By delaying justice for 1 and 2 years, it is denying the justice to workers it was advertised as protecting.

The regional office of the NLRB in the city of Detroit is telling the unions who appeal to it for action on complaints against employers that no action whatever can be expected for at least 4 months.

This means that effective action cannot be expected by workers and their unions in less than a year or 2 years, if the employer takes the matter through the courts.

Meantime, as has been said, employers can get service while they wait in the form of injunctions against unions. They get this short-order service from the ever eager and obedient NLRB General Counsel Denham, who has become expert at serving requests for injunctions off the cuff and sliding them down the counter on demand.

Before discussing this matter of national labor policy and the three evils in the act I should like, Mr. Chairman, to state that I know at first hand out of my own experience the harm that bad labor-management relations can do to all con-

cerned—workers, employers, and the entire community. I know, likewise, the beneficial effects of good labor-management relations. In the industrial city of Toledo it has been my privilege to serve the United Automobile Workers of America, CIO, the Toledo CIO Industrial Union Council, the Toledo municipal government, and the State of Ohio in a variety of official capacities. Both as an official of organized labor and as a public official, I have had opportunities to see the internal workings of the collective bargaining process. Let me assure my colleagues that the problems of labor-managment relations are not nearly as grim, as complex, as difficult of solution as I have heard them described here in this Capital City of our country.

It has been our experience in Toledo, where labor-management relations have been unusually cordial in recent years, that good relations between unions and management depend on good faith. The Toledo plan, which has been studied and praised by scores of industrial-relations experts, was an experiment in good faith. And it worked. It has worked—and it is still working—for the benefit of workers, of management, of the entire community.

The element of good faith has been present in labor-management relations in the city of Toledo for many years. At one time we had perhaps more than our share of discord in my home city. We had strikes—long, bitter strikes in which workers sought only recognition of their union and higher pay for their toil. We had police violence, and the National Guard—and plenty of bloodshed, I regret to say.

But eventually the employers of Toledo came around to the viewpoint that labor organizations were composed of decent, law-abiding citizens who wanted only their share of the American standard of living. Eventually, most employers came around to accept the view that unions are responsible organizations, democratic, and thoroughly in the American tradition. With that acceptance of unions, with that grant to the unions of equitable status at the collective-bargaining table—and in the entire community life—we climbed aboard the industrial peace train in my city of Toledo.

Mr. Chairman, the Taft-Hartley Act was intended to destroy in dozens of ways—and does destroy—equality of status as between employers and unions. It thereby destroys the basis for sound, equitable, and peaceful relations between labor and management. Already it has wrecked good relations in many plants. If permitted to stand, I fear it would damage, and I feel sure in time would destroy, the good work accomplished under the Toledo plan and all other local and broader arrangements for sound labor-management relations.

A one-sided law, a law loaded against labor as the Taft-Hartley Act is loaded against labor, does not promote collective bargaining, fair dealing, and peaceful relations. It does not promote industrial peace because it denies industrial justice.

Because it provides a legal labyrinth for snaring workers and their unions into endless negotiations, litigations, injunctions, damage suits, and the like, the Taft-Hartley Act is productive only of mutual suspicion, fear, dislike, disgust, industrial conflict, leading to industrial war—a war that would be not of the workers' making, but a conflict forced upon them by individuals, groups, and forces determined, as in the 1920's, to weaken, divide, and destroy unions and the very idea and practice of unionism and collective bargaining in this country.

Turning now to what has been, what is now, and what should be our national labor policy, the single historical fact that stands like a mountain on the great plain of half a century of experience in industrial relations is this: more than wages, more than hours, more than working conditions, more than security of employment, American workers throughout our industrial history have wanted, have organized to get, have petitioned for, have demanded, have gone on strike for, and have sacrificed even their lives to win the right freely to organize into unions and to bargain collectively through unions of their own choosing with employers regarding all these conditions of employment. I insert at this point in my remarks excerpts from findings of commissions and committees that have investigated the Nation's major labor disputes since 1894, the year of the great Pullman strike:

FINDINGS AND RECOMMENDATIONS BY OFFICIAL BODIES SHOWING THAT THE PRINCIPAL CAUSE OF INDUSTRIAL UNREST HAS BEEN ATTEMPTS TO DENY TO WORKERS THE RIGHT TO ORGANIZE AND TO BARGAIN COLLECTIVELY

1894: United States Strike Commission, appointed by President Cleveland, examined 111 witnesses and found, as a cause of the strike, that "the Pullman Co. is hostile to the idea of conferring with organized labor in the settlement of differences arising between it and its employees."

"The company (the Pullman Co.) does not recognize that labor organizations have any place or necessity in Pullman, when the company fixes wages and rents, and refuses to treat with labor organizations. The laborer can work or quit in the terms offered, that is the limit of his rights. This position secures all the advantages of the concentration of capital, ability, power, and control for the company in its labor relations and deprives the employees of any such advantage or protection as a labor union might afford. In this respect the Pullman Co. is behind the age" (p. XXVI).

1898: The Industrial Commission, consisting of 5 Members of the Senate, 5 Members of the House, and 9 management and labor representatives appointed by the President, employed 27 experts, examined 700 witnesses and in its report declared:

"It is quite generally recognized that the growth of great aggregations of capital under the control of single groups of men, which is so prominent a feature of the economic development of recent years, necessitates a corresponding aggregation of workingmen with unions, which may be able also to act as units. It is readily perceived that the position of a single workman face to face with one of our great modern combinations, such as the United States Steel Corp., is in a position of very great weakness. A workman has one thing to sell—his labor. He has perhaps devoted years to the acquirement of a skill which gives his labor power a relatively high value, so long as he is able to put it in use in combination with certain materials and machinery. A single legal person has, to a very great extent, the control of such machinery and in particular of such materials. Under such conditions there is little competition for the workman's labor. Control of the means of production gives power to dictate to the working men upon what terms he shall make use of them" (p. 800).

"The tendency toward unified control of capital and business has only intensified without changing the disadvantages of the wage worker in his dealings with employers. Even when the number of employers is considerable, the number of workmen is far greater. The competition for work is normally far sharper than the competition for workmen."

"The seller of labor is worse off in several respects than the seller of almost any physical product. His commodity is in the highest degree perishable. That which is not sold today disappears absolutely. Moreover, in the majority of cases, the workman is dependent upon the sale of his labor for his support. If he refuses an offer, the next comer will probably accept it, and he is likely to be left destitute. * * *

"Considered merely as a bargainer, as an actual participant in the operations of the market, the workingman is almost always under grave disadvantages as compared with the employer. Except the trifling haggling which he may do in the purchase of his small necessities, he is accustomed to bargain only in the sale of his labor and the bargains which determine the sales are likely to be made at somewhat long intervals. Every employer, small or great, of necessity devotes a considerable share of his attention to bargains of purchase and of sale. If the labor bargain is made with a foreman, the foreman is continually engaged in such bargaining and develops in it a very special skill. * * *

"But aside from all questions of mental dexterity and acquired skill, the workingman is at a disadvantage in that his economic weakness is well known to his employer. The art of bargaining consists in a great degree in concealing one's own best terms and learning one's opponents. The workman cannot conceal his need of work, and cannot know how much his employer needs him. He is relatively ignorant of the conditions of the market, both the market for labor and the goods which his employer produces. It is the business of the employer to keep himself informed of the state of both markets. The employer is able to judge what he can afford to pay for a given quantity and kind of labor rather than do without it. Under such conditions the results of free competition is to throw the advantages of the bargain into the hands of the stronger bargainer" (pp. 801–802).

ECONOMIC RESULTS OF LABOR ORGANIZATIONS

"An overwhelming preponderance of testimony before the industrial commission indicates that the organization of labor has resulted in a marked improvement of the economic condition of the workers. * * * (p. 802).

"The power of labor organizations to maintain wage rates, even in industrial depression, is repeatedly referred to in the testimony before the commission, and it is regarded by several witnesses as an influence of great importance in moderating the severity of depression and diminishing its length. By keeping up wages the organizations are asserted to increase the purchasing power of the wage workers, and so to diminish the tendency to overproduction and underconsumption" (p. 804).

DEMOCRACY IN INDUSTRY

"As the units of industry have become large, the individual workman has been further and further removed from the control of his own daily life. He has found himself under the control of powers upon whose conduct he has been able to exercise no direct influence" (p. 804).

"By the organization of labor and by no other means, it is possible to introduce an element of democracy into the government of industry. By this means only, the workers can effectively take part in determining the conditions under which they work. This becomes true in the fullest and best sense only when employers frankly meet the representatives of the workmen and deal with them as parties equally interested in the conduct of affairs. It is only under such conditions that a real partnership of labor and capital exists. * * *

"* * * If the working people are prevented from introducing an element of democracy into industrial life by way of labor organizations, they will undertake to introduce it in another way" (p. 805).

1902: United States Anthracite Coal Strike Commission, appointed by President Theodore Roosevelt, examined 558 witnesses, made a comprehensive study of the circumstances surrounding the 1902 coal strike, and its causes and concluded:

"The occasion of the strike of 1902 was the demand of the United Mine Workers of America for an increase in wages, a decrease in time * * * the cause lies deeper than the occassion and is to be found in the desire for recognition by the operators of the miners' union" (p. 31).

"The Commission is led to the conviction that the question of the recognition of the union and of dealing with the mine workers through their union, was considered by both operators and miners to be one of the most important involved in the controversy which culminated in the strike."

1913: United States Commission on Industrial Relations report upon the Colorado coal strike of 1913 stated that this strike involved:

"* * * as its major issue the demand of the miners for a voice in determining the conditions under which they worked. * * *

"In judging the merits of the miners' demand for collective bargaining, for that share in the management of the industry itself which is called industrial democracy, the Colorado strike must be considered as one manifestation of a world-wide movement of wage earners toward an extension of the principle of democracy in the workshop, the factory, and the mine * * *" (p. 6).

"By industrial liberty is here meant an organization of industry that will insure to the individual wage earner protection against arbitrary power in the hands of the employer" (p. 8).

This report stated that the operators refused to meet with the representatives of the miners.

"* * * in the light of Mr. Bowers' (a representative of the Colorado Fuel & Iron Co.) admission that a mere conference would have prevented the strike, the operators' refusal to grant such a conference must be regarded as making them responsible for all the disasters that followed" (p. 86).

In describing in detail the violence in the strike, particularly the "Ludlow massacre, in which 5 men and 11 boys were killed by bullet wounds, and 11 children and 2 women by suffocation as a result of the deliberate firing of the tent colony by the State militia, Federal troops were subsequently sent in by President, and peace was restored."

Responsibility for "a condition of absolute prostration of government and of actual revolution" was placed upon the employers, and particularly upon John D. Rockefeller, Jr., for the length of the strike, 7 months, as well as the violence that took place.

Discussing the company union set up and sponsored by John D. Rockefeller, Jr., for the Colorado Fuel & Iron Co., the report concluded that it embodied "none of the principles of effectual collective bargaining, and instead is a hypocritical pretense of granting what is in reality withheld."

1916: From the final report of the United States Commission on Industrial Relations, at public hearings throughout the country over a period of 154 days, listening to 740 witnesses, stated:

"It has been pointed out with great force and logic that the struggle of labor for organization is not merely an attempt to secure an increased measure of the material comforts of life, but is a part of the age-long struggle for liberty; that this struggle is sharpened by the pinch of hunger and the exhaustion of body and mind by long hours of improper working conditions; but that even if men were well fed they would still struggle to be free."

The report quoted the testimony of Louis D. Brandeis, later Associate Justice of the United States Supreme Court:

"* * * And the main objection, as I see it, to the large corporation is that it makes possible—and in many cases makes inevitable—the exercise of industrial absolutism. It is not merely the case of the individual worker against employer, which, even if he is a reasonably sized employer, presents a serious situation calling for the interposition of a union to protect the individual. But we have the situation of an employer so potent, so well organized, with such concentrated forces and with such extraordinary powers of reserve and the ability to endure against strikes and other efforts of a union, that the relatively closely organized masses of even strong unions are unable to cope with the situation."

And the report continued:

"Both in theory and in practice, in the absence of legislative regulation, the working conditions are fixed by the employer.

"It is evident, therefore, that there can be at best only a benevolent despotism where collective action on the part of the employees does not exist."

1919: The report of the industrial conference called by President Woodrow Wilson to consider the causes of industrial unrest and to devise methods of solution, recommended:

"* * * Employees need an established channel of expression and an opportunity for responsible consultation on matters which affect them in their relations with their employers and their work * * *" (p. 9).

"* * * Representatives must be selected by the employees with absolute freedom. In order to prevent suspicion on any side, selection should be by secret ballot. There must be equal freedom of expression thereafter. All employees must feel absolutely convinced that the management will not discriminate against them in any way because of any activities in connection with shop committees."

Mr. Chairman, I urge the Members to turn to pages 1, 2, 3, 4, and 5 of the majority report recommending enactment of this bill. Therein is set forth a condensed history of our national labor policy previous to the Wagner Act, under the Wagner Act, and under the Taft-Hartley Act, which is now about to be repealed.

I will not cover that history in detail, other than to point out that, when the Congress enacted the original Wagner Act in 1935, it had reviewed and accepted half a century of experience in industrial warfare caused by the persistent refusal of employers to accept union organization and collective bargaining. It had found that when the National War Labor Board in World War I for the first time applied on a limited scale the principle of collective bargaining, the number of organized workers had doubled, from 2,500,000 in 1915 to more than 5,000,000 in 1920.

In the next 10 years, the Nation had retreated to normalcy, to the phony prosperity of the frenzied twenties. Union membership dropped to less than 3,000,000 organized workers in 1933. Once strong unions, such as the United Mine Workers, were empty shells, having only a few thousand members and nearly empty treasuries. Good union men were compelled by the hunger of their families to conceal their union membership and to work at starvation wages in nonunion mines, mills, and factories.

Some may say there was comparative industrial peace in the twenties. It is true work stoppages dropped from 3,400 in 1920 to 637 in 1930. But this peace was not a peace brought about by industrial justice but by industrial terror and servitude on the employers' terms, policed by labor spies and enforced by court decrees.

Wages dropped to pre-World War I levels while prices stayed high. A depression resulted because the wage earners of America could not buy back a fair share of the products which they produced.

Farmers burned grain for fuel while miners starved because coal could not be sold to busted farmers.

The one exception was in the railroad industry. There, collective bargaining was established.

In 1933, one of the first steps to fight depression was enactment of Section 7–A of the National Industrial Recovery Act, which established the right of workers to organize and to bargain collectively through representatives of their own choosing.

With the invalidation of the NRA, the Wagner Act became a necessity and was enacted in 1935. The Wagner Act and the Norris-LaGuardia Act, outlawing the use of injunctions in industrial disputes, changed the climate of industrial relations. Union membership increased from 2,857,000 in 1933 to 7,218,000 in 1937, to nearly 9,000,000 in 1940, to 15,000,000 in 1947.

Then in 1947, as had happened 27 years before, after World War I, we had a return to normalcy.

But this time there was a difference; instead of turning over to the private employer the power to determine the terms and conditions of employment, the Taft-Hartley Act in 1947 laid upon the Federal Government the duty to use its powers to determine the terms and conditions of employment under the guise of some paramount public interest.

To enforce these Government injunctions, the Federal injunction was again revived and given statutory directives for immediate use by public officers against unions without a fair hearing. Accused unions and their members were to be hanged first and tried afterward.

At this point, I should like to point out that H. R. 4290 artfully offers to wipe out some of the antilabor provisions of the Taft-Hartley Act, but at the same time would clothe the NLRB General Counsel with the most monstrous powers ever sought to be assigned to a

civilian officer in peacetime under our form of government.

H. R. 4290 says with a sly smirk that the mandatory use of injunctions on a Number One priority basis under certain circumstances is to be repealed; the use of injunctions is to be made discretionary with the NLRB General Counsel, who shall have the power to seek an injunction in any case in which there has been a charge of an unfair labor practice.

Mind you, the injunction may be obtained by the general counsel before any complaint has been issued by the NLRB, before there has been any hearing on the charge made by an interested party, before there has been any examination of the facts and evidence, before there has been any responsible determination by anyone aside from the NLRB general counsel. Again, we meet Judge Lynch, the law west of the Pecos, that proposes to "hang 'em first and try 'em afterward."

Mr. Chairman, when I consider this and other provisions of H. R. 4290, I feel that we are like children playing with dynamite caps. Believe me, there are dynamite caps strewn all through H. R. 4290 and in other amendments that are to be offered in the course of this debate.

H. R. 2032 is a sober, responsible, carefully considered measure intended and designed to reestablish and implement a national labor policy that helped to bring us out of the depression of the twenties and early thirties, that assisted in giving us as a Nation the productive strength and the greatest industrial production in the history of mankind, and that helped powerfully to win World War II.

We would be stronger now, Mr. Chairman, if we had not taken the wrong turning in 1947, blaming and seeking to punish labor for an inflation and a period of postwar industrial unrest in which wage earners, individually and in unions, were the principal victims.

If labor had been stronger in 1946, if the ranks of the unions had included substantially all the wage earners in the Nation, we would be stronger today, in terms of our internal economy, in the international economy, and in terms of national security. We would have today a healthier distribution and balance of our national income; farmers would be assured of a more stable market at fairer prices for their products; independent businessmen would be assured of a more stable market at fairer prices and profit margins; the specter of unemployment, underemployment, wage cutting, stretch-outs, speed-ups, and shake-outs of the aged would not today haunt the 46,000,000 nonagricultural wage earners in our Nation.

Mr. Chairman, I urge the Members of this House to defeat legislation that, while paying lip service to union organization and collective bargaining contains deadly booby traps and land mines for the destruction of labor unions and the elimination of collective bargaining in the months and years ahead. By the pessimistic reckoning of some employers, we shall have a surplus of labor that will permit them to pick and choose on what organized labor calls the bad old "red apple for the foreman" basis of favoritism.

Here we get at the real issue in this debate. The issue is between those who really believe in the practice of collective bargaining between free unions and free employers and those who are afraid of the practice of collective bargaining between free unions and free employers and who prefer a pretense at collective bargaining in which labor, no longer free, is handicapped at every stage by the legal and procedural strait-jackets, and ankle-irons proposed in the Wood bill and other amendments to H. R. 2032.

A vote for H. R. 2032, without weakening amendments, is a vote for free unions and free employers; a vote against it or in favor of H. R. 4290 or similar perverting or weakening amendments is a vote against free unions today, against free employers tomorrow, against the practice of democracy in industry. And, not so far down the economic and political road, a vote against H. R. 2032 will amount to a vote against the practice of democracy in both the economic and political fields.

Let us make no mistake about this. Democracy is simpler than regimentation. The Wagner Act and H. R. 2032 are simpler than the Taft-Hartley Act and H. R. 4290. The Wagner Act and H. R. 2032 assert and implement the right to organize and to bargain collectively. That is the living rock on which any sound democratic labor policy must be based.

H. R. 2032 adds to the Wagner Act certain important substantive provisions providing for effective machinery in handling jurisdictional disputes and in declaring that secondary boycotts in support of jurisdictional disputes are unfair labor practices by unions.

In a free society a national labor policy need not and should not go far beyond the establishment of legal guaranty of the right to organize and to bargain collectively. It is fair and proper that an employer should be protected against being caught in the middle of a jurisdictional dispute brought about by no act or wish of his own, and that is provided in H. R. 2032.

One of the Taft-Hartley Act's principal errors was in attempting to take free unions and free employers a long way down the road toward complete "legislative determination of the terms and the conditions of private employment."

That is the issue, Mr. Chairman. We who ask for the adoption of H. R. 2032 are for the exercise of freedom and democracy in American industry; those who urge H. R. 4290 or additional regulatory amendments to H. R. 2032 are lending themselves, I have no doubt unconsciously in many instances, to a regimentation that would apply to wage earners today and, should their substitute be adopted and become the law of the land, to employers tomorrow.

It is obvious to me that such a national labor policy must recognize that collective bargaining is a two-way process. The Wagner Act recognized that fact. It put an end to a whole range of discriminatory practices that had been used by employers to discourage unionism, to break strikes, and to blacklist workers sympathetic to the cause of labor organization.

I realize that it has become fashionable in certain advertising agencies and public-relations outfits to picture the Wagner Act as one-sided. The products of these streamlined agencies were used by the National Association of Manufacturers and many corporations in the newspapers and magazines of this country, and this was fully developed in our subcommittee hearings. But a lie repeated a million times does not become the truth. No matter how many times they tried, big business in America could not disprove the fact that the Wagner Act was legislation designed to curb certain malpractices of industry and to make possible a basis for free collective bargaining. That and nothing more.

It has become equally fashionable to maintain that the Taft-Hartley Act restores a balance. But it does nothing of the sort. In fact, it only restores an earlier lack of balance and then adds repressive features against labor to aggravate still further that lack of balance.

Let me warn my distinguished colleagues as emphatically as I can, so long as the Taft-Hartley Act or its major provisions remain on the statute books, we can never have fundamentally cordial labor-management relations in these United States. So long as workers know the provisions of the Taft-Hartley Act form an arsenal of legal weapons for the use either of the general counsel of the National Labor Relations Board or for any employer who wishes to use them, we cannot build good faith and a sound basis of industrial peace.

Our experience is clear. You do not get cooperation at the end of a gun. And the Taft-Hartley Act is just that. Full page ads in slick magazines, widely-circulated questionnaires full of loaded questions, the shrill hysteria of certain radio commentators—none of these can hide the one-sidedness of the Taft-Hartley Act from the workers who are its victims.

No section of the Taft-Hartley Act shows more openly its one-sidedness and its confusion than that section which calls upon elected union officers to sign non-Communist affidavits if they wish to use what few facilities of the National Labor Relations Board are still of importance to them.

My own experience, and the conversations I have had with many union leaders—in national offices and local offices—confirms the fact that the anti-Communist affidavit is of little use to anybody but the factories which produce the paper for the affidavits, and a few clerks at the Department of Labor whose jobs may depend on filing the affidavits into neat bundles. There should be something better for them to do.

I have always opposed Communists in labor unions and everywhere else. My union, the United Automobile Workers, has had considerable success in rooting out Communists from positions of leadership. Other unions in the Congress of Industrial Organizations have had similar successes in recent years. But the affidavits had nothing to do with this

cleansing of Communists from union positions.

There are Communists still holding some positions in some unions in this country. They did not sign the affidavits; they just stepped into other jobs and let their stooges take the elective posts and sign the affidavits. But the Communists were not swept from office in my union by affidavits, and they will not be swept out of their jobs in any other unions, until the members do the job.

The men who have been most successful in meeting the problem of communism in the American labor movement—who have the most experience—do not like the affidavit. President Murray and Secretary-Treasurer Carey of the CIO, President Reuther of the United Automobile Workers, and many others, are unanimously opposed to the affidavits. I think we should heed the words of these men, who might well be considered technical experts on the subject.

Some of the people who still support the Taft-Hartley Act acknowledge the correctness of labor's criticism of affidavits—but with typical refusal to face the facts, they seek to compound error upon error. Rather than repeal the Taft-Hartley Act and its affidavit section, they say: "Let's extend the affidavits, and make employers sign them too." Presumably those paper manufacturers and those Labor Department file clerks will welcome the extra work—but I think their services can be put to better use. I am willing to concede that the board of directors of the National Association of Manufacturers does not contain a single Communist—though I am often tempted to think that in their opposition to all progressive legislative proposals, they are acting just the way the Communists want them to act.

Even the Joint Committee on Labor-Management Relations, headed by former Senator Ball, admitted that extension of affidavits would have no effect—except perhaps to fool workers into thinking the Taft-Hartley Act was being modified. And the committee pointed out that proposals for such an affidavit by employers might be tossed out by the United States Supreme Court as completely meaningless legislation.

The affidavit section was unnecessary legislation. So was the proposal that unions must file financial statements with the Federal Government. When the Taft-Hartley Act was first under consideration, its sponsors were told that almost every union files public financial statements. It was pointed out that there was nothing secret about those figures.

But Congress legislated on the subject anyway. The unions still publish their financial statements, and the Government files get further clogged with useless papers. Congress legislated against menaces that simply did not exist—both so far as the financial registration provision was concerned and on the whole subject of labor-management relations.

It is time that we heeded the call which they sounded at the voting booths last year. As a first step, we should repeal that evil legislation which has come to represent reactionary spirit.

Mr. Chairman, I urge that we pass H. R. 2032 to repeal the Taft-Hartley Act—as a first step toward enactment of the Fair Deal program which the people of the United States so earnestly demand.

Mr. HOLIFIELD. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, many years ago, some place, I heard the following philosophical bit:

> Don't trouble trouble if trouble doesn't trouble you.

Applying this pithy truth to the serious and important problem before the House today, I make these observations:

The Taft-Hartley Act is a trouble creator. It is a trouble stimulator. It sparks combustible matter.

Successful plant labor relations systems existing in many of our industrial enterprises throughout the country are of delicate, sensitive structure. They are the result of many fine adjustments created by employers and unions through the collective-bargaining process. Generally, in the employee relations history of these plants, there have been some rough periods; strong disagreement between managements and employees, strikes, misunderstanding of motives. Yet, out of these have grown fair and democratic rules of work and pay embodied in negotiated labor agreements. The scars have healed but are remembered.

Suddenly, from the outside, an all embracive statute, the Taft-Hartley law, superimposes a prefabricated labor relations policy tailored to much of the worst in labor relations and little of the best—and these successful plant systems find themselves modified by a heavy superstructure of detailed Federal law. What the original Wagner Act brought together the Taft-Hartley Act rips asunder.

What do we find?

First. Bootleg labor agreements where the employer and the union, having lived with the closed shop, continue to do so without benefit of the law.

Second. Technical rules for serving notices of varied description; employer to union, union to employer; 60-day notices, 30-day notices; notices to reopen a contract, notices to terminate a contract—all calendar-controlled and perilous if a day is missed.

Third. Legal strikes. Illegal strikes. Uncertainty as to where and when legality turns into illegality.

Fourth. The legalisms of "causing," "attempts to cause," "inducements," "attempts to induce," and so on until management and labor representatives turn into curbstone lawyers scanning a statute, long and involved, slated for years of Supreme Court interpretations.

And so on, can I enumerate the new and the novel our industry and our labor finds itself faced and concerned with.

The unnecessary irritations of the law become a factor in the relations between the parties. Sometimes, when misunderstandings arise over new terms and conditions of employment, the Taft-Hartley law provides the cover under which a bad-faith bargainer hides. He gets technical. The law gives him many technicalities for this unworthy purpose. Unions and employers can and do equally utilize this law for subterfuge purposes. Collective bargaining becomes subverted. The National Labor Relations Board becomes many times the recipient of this failure of the parties to meet their responsibilities. These failures are oft clothed in cases filed with the Board—and, when filed, the parties sit back and direct their energies at what amounts to lawsuits rather than collective bargaining. I cite you the Boeing Aircraft Co. case in Seattle, Wash., as an excellent example in point.

I submit that we should not trouble the waters of the fast and rocky stream of industrial labor relations. Let us clear the channel by removing the Taft-Hartley Act and bring back the Wagner Act. Let the Wagner Act be a mere greasing agent for the skids that direct each new ship into the collective-bargaining stream.

Mr. McCONNELL. Mr. Chairman, I yield 15 minutes to the gentleman from Kentucky [Mr. MORTON].

Mr. MORTON. Mr. Chairman, the members of the committee have already been accurately informed on the high-handed methods which were employed in bringing this pending measure to the floor without consideration by the appropriate congressional committee. I must, however, in due fairness, pay tribute to the gentleman from Michigan, the chairman of the House Committee on Education and Labor, in certain respects. In the first place, he made his position and his policy crystal clear. He did not engaged in any double talk or in any way try to mislead the members of the committee. He said, "So far as I am concerned, I am going to follow the instructions of the administration." He made it clear just where he stood and all of us admire this in any man, whether we agree with him or oppose him. And second, I must commend him on doing just what he said he was going to do. I think all of us share an admiration for those qualities in a man which lead to achievement of purpose.

The majority has taken the position that there was no need to consider this legislation in executive session or read the bill for amendment in committee. It has stated that the issues are clear and that the proposed measure merely reenacts the Wagner Act with certain amendments in the field of secondary strikes and boycotts and in jurisdictional disputes. Now, Mr. Chairman, this is not entirely true. In section 107 of the bill, there is a so-called improvement of the original Wagner Act which gives legal sanction to the deduction from employees' pay without their consent of virtually any sums the unions might assess. The pending bill extends the automatic check-off to all membership obligations. This would include not only members' dues and initiation fees, no matter how discriminatory or how exorbitant, but also any assessments which the union might levy against the members generally or against particular

individuals. This would mean that unions, in many cases by a simple majority vote of those present at a union meeting, could assess all members substantial sums to be used for purposes to which many minority members might be opposed.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. MORTON. I yield to the gentleman from Ohio.

Mr. VORYS. Would that cover a fine assessed by the union upon a member?

Mr. MORTON. As I understand the pending bill, it covers a fine assessed by the union on a member. For example, let us suppose that a certain union feels that it would be an act of charity and good will to contribute to the parent-teacher association of a nearby school in an underprivileged neighborhood to provide more adequate luncheons and health facilities for the children. Let us further suppose that 20 percent of the membership of this union belong to the Catholic faith and send their children to parochial schools which they support by voluntary donation. These men might justly feel that they would not want to contribute to a fund for the aid of children attending public schools. Yet if the majority so decided, they would have no choice. They would have to stand for the assessments or lose their jobs. It is a part of the American tradition that the majority must work its way. It is also a part of the American tradition that in so doing, the rights of the minority must be protected.

In the areas in which the majority admits that the Lesinski bill departs from the Wagner Act; namely, secondary strikes and jurisdictional disputes, we find a highly complex situation which should have been carefully explored in committee session. The fundamental fallacy of all the arguments in favor of secondary strikes is that they are inconsistent with the basic right of employees to make a free choice as to whether or not they will join a union and bargain collectively through their own representatives, free from coercion by employers. In the face of that right, secondary strikes and boycotts have no justification, for the secondary strike is not directed to persuading nonunion employees to join the union because of the benefits they can obtain by becoming members. It is directed against the employer of those employees.

Both under the original Wagner Act and under present law, the employer cannot take sides. He is forbidden to interfere with his employees in the exercise of their rights. He is forbidden to discriminate in regard to hire or tenure of employment, to encourage or discourage membership in any labor organization. Many secondary strikes when used in the past were to force an employer to force his employees to join a union. Under either the Wagner Act or present law, that forces an employer to break the law.

This type of secondary strike and boycott might have had some justification in the era before labor's bill of rights was passed. Since that time a strike by union labor in order to compel their employer to cease dealing with a nonunion employer should have been an unfair labor practice, because the nonunion employer may not legally control or affect the union or nonunion status of his employees. The method by which the union should seek to unionize the employees is not the method of indirect coercion but the direct and democratic method of persuasion and selling itself by the advantages which it offers.

There is one form of secondary strike prohibited under present law which works an injustice to organized labor and it certainly should be corrected. The Taft-Hartley Act has a flat prohibition against the secondary boycott in all circumstances. This provision has been justly criticized on the ground that under it an employer whose men are on strike can farm out his work to another employer who may hire members of the same union. The present law should be amended so as to premit union members to refuse to work on contracts that are farmed out by employers whose employees are engaged in a legitimate strike.

In section 8 (b) (4) (A) of the present law, the owner of a small business is protected against enforced membership in a union organization or even in an employer organization. Most of the members of the committee are familiar with the Dock Street case which was to some degree responsible for the inclusion of the section above referred to in the present act. The Lesinski bill is silent on this subject. Just recently the International Barbers' Union, at its last convention, directed all union barbers to refuse to work at any shop unless the proprietor himself joined the union and paid dues, initiation fees, and special assessments, even though such proprietors had no right to participate in union affairs. Only after charges had been filed under the National Labor Relations Act did union officials agree to stop pressing this demand. If the Lesinski bill is adopted as presented, proprietors of barber shops as well as thousands of other small-business men would be at the mercy of such union demands.

Not content with diluting the prohibitions against secondary boycotts until they are almost meaningless, the authors of the Lesinski bill also seek to eliminate any effective enforcement machinery against such limited boycotts as they concede to be against public policy. Under the Taft-Hartley Act the General Counsel is empowered, if the investigation of the field staff shows a charge to be meritorious, to apply to the United States district courts for injunctive relief. The Lesinski bill deliberately omits any provision for temporary injunctive relief even in the most flagrant case of secondary boycott. The only remedy provided is that the parties aggrieved may file an unfair labor practice charge. The irony of this suggestion becomes clear when it is remembered that the Board is now so far behind in its work that it would take 18 months even in the simplest case between the date of the filing of the charge and the issuance of a cease and desist order. And even then a defiant union could continue to inflict severe economic damage upon innocent third parties and be completely immune from any financial liability, for the Lesinski bill, although providing for the judicial enforcement of Board orders, significantly eliminates any provision for the award of money damages.

The so-called prohibition against jurisdictional strikes which the Lesinski bill contains is just as empty. The Taft-Hartley Act in unequivocal terms made jurisdictional strikes an unfair labor practice and a cause of action for damages unless the employer involved in the jurisdictional dispute was violating a certificate or order of the Board by not assigning the disputed work to members of the striking union. The Lesinski bill not only contains no provision for suits for damages in order to deter jurisdictional strikes but does not make them even unfair labor practices. What it does is to provide that in the event of a jurisdictional strike the Labor Board may appoint an arbitrator. It is only after the arbitrator's award becomes final and binding that it becomes an unfair labor practice to continue a jurisdictional strike. In other words, the bill provides no method of obtaining any effective relief for at least 2 years after such a strike begins if the Board's present pace in keeping up to its docket may be accepted as a fair index.

The problems that I have covered are only a few of the many that we will encounter in trying to write a fair labor-management-relations law here on the floor of the House. I think an overwhelming majority of the people of this country agree that there was a need for the Wagner Act at the time of its passage. I think an equal majority will agree that there has been need for amendment in the years since 1935. The late President Roosevelt, when he signed the act, said that future amendments would in all probability prove necessary.

During the years that followed the passage of the Wagner Act, the union movement grew from childhood to manhood in this country and became the great agent for free collective bargaining. It has made a great contribution to our dynamic economy and to the living standard of the American people. As it grew and as our economy became more complex and more closely integrated, the need for remedial and clarifying legislation in the field of labor-management relations became apparent, but nothing was done by the Congress. This was so because the Wagner Act came to be regarded as a political sacred cow. The elections of 1946 made apparent a great public demand for legislation in the labor-management field. The Taft-Hartley Act was the result of that demand, and its severe impact, both real and emotional, in the labor movement can be, in large measure, attributed to the 15 years immediately preceding in which nothing was done. The present law in its application has demonstrated that it needs amending in several important respects. I favor the amendment of the present law in the light of present needs. I do not see why we should return to something that was passed nearly two decades ago in an entirely different set of circumstances and try to move forward from that point. The union movement in this country

today is strong, powerful, and vociferous. Management in this country today is also strong, powerful, and vociferous. Each of these giants is trying to get the best possible break for himself in the pending legislation. That is human nature. The task that is before us is difficult. We must first free ourselves of the acrimony and emotional overtones which accompany this fight between two giants. We must then proceed to write a bill here on the floor of the House which will protect the traditional American human rights and the welfare of the general public. I urge the members of the committee to proceed on this basis.

The CHAIRMAN. The time of the gentleman from Kentucky [Mr. MORTON] has expired.

Mr. McCONNELL. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. WELCH].

Mr. WELCH of California. Mr. Chairman, I spoke and voted against the so-called Taft-Hartley bill when it was before this House for consideration during the Eightieth Congress. I felt it was a mistake at that time and the best proof that those of us who voted against the bill were right is the fact that a coalition is here with a bill which makes a gesture of amending this antilabor law instead of repealing it outright and enacting a new law in keeping with the desires of millions of organized and unorganized workers of this country.

Mr. Chairman, I was chairman of the Committee on Labor during the Hoover administration and was complimented by that administration for the humanitarian and constructive legislation reported and enacted into law at that time. Members of the House for years sought membership on the Labor Committee for the purpose of relieving the burdens of the toiling masses instead of reporting and helping to enact into law oppressive antilabor legislation. If you will read the House rules and manual pertaining to the powers and duties of committees you will find that every legislative committee of the House, such as Agriculture, Armed Services, Merchant Marine and Fisheries, Post Office and Civil Service, and Veterans' Affairs, consider and favorably report legislation helpful to and in the interests of those who come under their jurisdiction, with the exception of the Committee on Education and Labor, which committee during recent years has been doing the very reverse.

Mr. Chairman, I yield to no one in my desire for amity between employers and employees. I have always deplored strikes, for the time and money lost through paralyzing strikes can never be regained. I do not condone acts of some labor leaders, and at the same time I am unalterably opposed to legislation oppressive and punitive to nearly 60,000,000 workers by reason of the acts of a few. I do not condone acts of unscrupulous lawyers who have been disbarred from the practice of their profession. But no sane person would attempt to condemn and punish the entire legal profession, from which the judicial branch of our Government is drawn, for those who disregard the ethics of that noble vocation. I do not condone acts of doctors who destroy human lives before they have seen the light of day, still I would be the last to attempt to condemn every member of that calling because some doctors have disgraced their profession.

Mr. Chairman, I deplore the effects of the Taft-Hartley law on the party founded by that great humanitarian Abraham Lincoln. Our democratic form of government calls for two strong parties numerically divided as nearly as possible. The 60,000,000 workers in this country, with the exception of a few, are God-fearing, law-abiding, home-loving patriotic people. The Taft-Hartley law in effect has been an indictment of these workers. Regardless of the intent of the proponents of the act, it has been generally accepted as an indictment and is strongly resented by them.

During the Revolutionary War, when the American Colonies were fighting for their independence, British Imperialists and Tories were demanding the extermination of what they termed the rebels. Edmund Burke, a great statesman and orator of that day, made a speech in the British Parliament urging conciliation in which he said:

> I do not know the method of drawing up an indictment against a whole people. I cannot insult and ridicule the feelings of millions of my fellow creatures.

Burke made that statement concerning less than 4,000,000 people in the American Colonies; how much more true are his words when you multiply this to sixty million.

The Taft-Hartley law evidently cared nothing for the nearly 60,000,000 workers in this country, with the result that the law has driven millions of workers away from the Republican Party, the party of Abraham Lincoln and Theodore Roosevelt, and reduced it to a hopeless minority.

Mr. KELLEY. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. HOWELL].

Mr. HOWELL. Mr. Chairman, this bill which is before us wisely makes no provision continuing the Joint Committee on Labor-Management Relations established by the Taft-Hartley Act. It wisely makes no provision for any committee similar in set-up and authority to the so-called watch dog committee.

The watch dog committee has for all practical purposes expired. I would not have it revived. This committee functioned long enough to demonstrate its ineptness and undesirability. It functioned long enough to demonstrate the manner in which quasi judicial functions can be interfered with by Members of Congress. In that way, and that way alone, it performed a useful function.

Public investigatory bodies, of course, may perform a valuable function, if they are constituted with due regard to the interests to be affected by their actions. Official commissions of one kind and another have performed and are performing laudable services for this Government. In this connection, it will be remembered that the President recommended to the Eightieth Congress the appointment of a temporary joint commission to inquire into the field of labor-management relations before laws on this subject were passed by that Congress.

In recognition of the correlative responsibilities involved, the President at that time in 1947 recommended that such commission be composed of Members of Congress, chosen by the presiding officers of the two bodies, and representatives of labor, management, and the public to be appointed by him. The Congress did not provide for such a commission. Instead, Congress passed the Taft-Hartley Act. The Taft-Hartley Act, besides substantially doing away with the Wagner Act, did create an investigatory committee. This committee was authorized to study the field of labor relations and to make recommendations to Congress. The President had recommended that similar authority be reposed in a commission. As authorized however, the distinction between the joint committee and the President's recommended commission was fundamental. Neither labor, nor management, nor the public interests were directly represented on the joint committee. It was strictly congressional. It was not formed to obtain helpful tripartite assistance, as the Government had so often done in the past, or to share responsibilities in the complex, dynamic field of labor relations with leaders in this and allied fields. It walked alone. It is not strange that such a committee was ineffectual. It is not strange that it failed in obtaining cooperation. Listen, however, to this puzzled expression of the committee in its report issued in March 1948:

> Early in December 1947 we issued a public statement inviting unions, employers, employees, and the public to bring to our attention any case of an inequity created by the new law. We promised a complete investigation followed by recommended amendments should such an inequity be established. Our statement received wide publicity in the press, was printed in the CONGRESSIONAL RECORD, and was extensively circulated. There was no response to our invitation.

The committee was surprised. I cannot say that I am.

The joint committee was authorized specifically to investigate, among other related subjects, the administration and operation of Federal laws relating to labor relations. It is the exercise of this authority which has earned it the name "watchdog." It is the manner in which this authority was exercised which runs counter to the independence of the executive and judicial branches of our Government.

Chancelor Kent considered the separation of powers between the three branches of our Government, as provided in our Constitution, a vital principle of freedom. I believe that such a division of powers is generally held to be vital to our system of government. It is the province of the United States Congress to pass laws. It is not the province of the Congress to execute laws, to expound laws, or to enforce laws. It is furthermore not appropriate for the Congress to inject its influence directly into the execution or the exposition of the laws.

The general counsel of the Board clearly stated before a committee of the Senate considering his confirmation that he felt it would be a privilege to consult the joint committee as to its interpretation of the various questions regarding the act before he took a position upon them. The close relations subsequently maintained between the members of the watchdog committee and the Government officials administering the National Labor Relations Act, as amended, certainly created a ready channel for the transmission of committee interpretations. Other evidence before the labor committees of this Congress show that communication between members of the respective bodies and their staffs was a constant occurrence. These communications, furthermore, involved personal conferences. Reports to Congress appraising the work of the Board, including the discussion of pending cases, were printed and circulated. There was no doubt as to the opinion of the committee on this law and its operation. No means of reaching the Board officials seemed to have been overlooked.

I believe that the fostering of police committees which offer the possibility of interference with the other branches of our Government is contrary to the effective organization of that Government. I believe that any committee which functions as the Taft-Hartley watchdog committee functioned imperils in basic aspects the liberty of our administrative and judicial officers.

H. R. 2032 does not provide for constant legislative scrutiny of the Labor Board activities. It does provide for cooperative efforts by the various interests of our country in improving the highly important functions of labor-dispute machinery. These efforts would be directed to the prevention of labor disputes, as well as to the formulation of policies and procedures most conducive to the peaceful settlement of disputes which do arise. Labor, management, and the public would express their views on these subjects through representation on labor advisory committees appointed by the Secretary of Labor. These advisory committees would assist the Secretary in administering the mediation and conciliation functions which would be restored to the Department of Labor under the bill. The creation of such committees would be a revival of a practice previously instituted by the Secretary of Labor. You will recall that the services of tripartite committees were most advantageously utilized by the Secretary of Labor in behalf of the Conciliation Service prior to the passage of the Taft-Hartley Act.

Under the Taft-Hartley Act, the conciliation and the mediation functions of the Government which may be exercised by the Federal Mediation Service are restricted in several respects. These restrictions would be removed from the reconstituted Conciliation Service under H. R. 2032. In the first place, the assistance of the Service would not be prohibited in connection with any particular class of cases. In the second place, it would be able to assist freely in the settlement of disputes involving existing agreements. Under the Taft-Hartley Act, Federal assistance may be offered in grievance cases under existing agreements only as a last resort and in exceptional cases. This appears to me to be a serious deficiency. A labor dispute is just as undesirable whether it arises under an existing contract or from conditions outside of the contract. It is just as costly, just as wasteful and disruptive of the interests of all concerned. The treatment of arbitration procedures under the Taft-Hartley Act is, in my opinion, not tenable. It is, of course, true that settlement by the parties concerned under a method agreed upon by the parties is the most desirable method for the settlement of any disagreement. But the parties should not be pushed into providing such a method. This is too much the same thing as compulsory arbitration. It is not in any sense free collective bargaining. Disputants in large numbers of cases should not be penalized by being deprived of governmental assistance in reconciling their differences. The Federal Government desires, it is my understanding, to foster industrial peace. The Federal Government desires to minimize industrial strife. But its assistance in attaining these aims is halfhearted under the Taft-Hartley Act. For disputes arising under existing agreements, the Federal Government may come in as a last resort, or in exceptional cases.

The state of desperation should not be a condition precedent to Government aid in labor disputes even under existing agreements. An effective conciliation service should assist the parties to a dispute in developing and perfecting arbitration techniques when necessary at any stage of disagreement. Such a service can also give invaluable aid to the parties to a dispute in framing basic issues to be decided by arbitration. These services can be utilized before an impasse had been reached, whether the dispute involves an interpretation of an existing contract or otherwise. These services could prevent an impasse with its undesirable psychological influence and time-consuming effects. You will recall that the United States Conciliation Service when it was located in the Department of Labor successfully performed functions relating to arbitration.

H. R. 2032 would remove the restraints on conciliation and mediation services imposed by the Taft-Hartley Act. Within the discretion of the Director of the Conciliation Service, the facilities of such Service could be made available in any labor dispute. This bill would also remove the impediments regarding the role of the Federal Government in arbitration. Assistance by the Service in connection with arbitration procedures would be authorized whether the terms of an existing agreement are an issue or not. The Service could once again function in the area of arbitration without serious hindrance. This area is a critical one. I believe that here the Federal Government can perform a valuable service in stimulating industrial peace. For this and other reasons I give H. R. 2032 my hearty support.

Mr. McCONNELL. Mr. Chairman, I yield 4 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I make these remarks during this debate because the cancellation of construction of the great carrier by the Secretary of National Defense affects so much business and business management and labor that I think it should be brought up and considered during this debate.

SECRETARY OF DEFENSE ACTS WITHOUT AUTHORITY

In my remarks I am going to include the editorial written by Mr. David Lawrence, appearing in the Washington Star for Monday, April 25, 1949. This article deals with the devastating blow that has been dealt to the United States Navy by the autocratic method used in abolishing the construction of the large aircraft carrier.

May I remind the leadership of this Congress and all of the Members that by law—by statute—enacted in Congress this carrier was authorized. In other words, there is a Federal statute on the law books which states the United States Navy can go ahead and build this great ship. Now, I ask you, is there any law which gives the Secretary of Defense, or any person, the authority to nullify an act of Congress and thereby show the world disrespect of this great legislative body? Is this a dictatorship or is this a Government of the people conducted by their representatives in Congress. Are we selling out our freedom from within or is this Nation going to remain a democracy? This act of the Secretary of Defense shows most clearly that he has failed—and utterly failed—to consider this problem from all viewpoints. He has injured most severely the morale of the great United States Navy—the same Navy that defeated Japan in the Pacific; the same Navy to which the great Japanese Empire surrendered. He has dealt a devastating blow to the national security of the United States.

How about the representatives of the people? The Secretary of Defense by this single-handed act of dictatorship has cast disrespect upon the leadership of this Congress. I am just a woman, but a woman interested in national defense, a woman interested in our form of government. If this Congress is to hold the respect of the people of this Nation—yes, if the freedom of this country is to survive, I appeal to this leadership to stand up and fight. Join my voice and let the Secretary of Defense know that Congress is still in operation and that Congress is still the legislative body of this Nation that determines policy, and that Congress will not stand idly by and permit any person in Government or out of Government to violate the authority of the people's representatives assembled.

My fellow Members, this carrier was authorized by the President of the United States. The President of the United States told the Navy he approved of this ship and he wanted it constructed. Has he made any statement or taken any responsibility in this momentous autocratic decision of the Secretary of Defense? That is a question I should like to have answered.

My time is up. I appeal to you to read the article by Mr. David Lawrence, included here in my remarks, and I appeal

to every Member here, if he believes in the respect of Congress and in constitutional government, to rise up and inform the Secretary of Defense he has made a grave error and that it is the intention of Congress to correct that error.

[From the Washington (D. C.) Star of April 25, 1949]

JOHNSON SEEN DEFYING CONGRESS BY HALTING WORK ON NEW CARRIER—UNIFICATION THREATENED BY LETTING TWO SERVICES VETO PROJECT OF THIRD

(By David Lawrence)

Unification of the armed services—long sought by Congress and the American people as a desirable objective—has just been dealt a devastating blow.

In defiance of the express authority of Congress, the new Secretary of Defense, Louis Johnson, has permitted two of the armed services to pair off against the other.

Instead of confining the Joint Chiefs of Staffs to the definition of functions and missions agreed upon in the famous Key West document on joint operations, the Secretary last week asked the head of each service to sit in judgment on what tools the other services shall have to carry out their missions. It is a plain violation of the spirit of the Key West agreement.

This is what the decision to halt work on the super aircraft carrier means. Twice Congress had the matter up and authorized the Navy to allocate its tonnage according to its own best judgment. There is no power in any existing law which authorizes either the President or the Secretary of Defense to ignore the authorizations made by Congress for the armed services.

Yet last week Secretary Johnson, in effect, put before the Joint Chiefs of Staff the question of whether the will of Congress should be superseded. The Joint Chiefs of Staff met and decided to put its views in writing. Three letters were delivered to Secretary Johnson on Saturday morning last and within half an hour the decision of the Secretary was given to the press—even before the head of the Navy, Admiral Louis Denfeld, knew about Mr. Johnson's decision.

NO CONSULTATIONS HELD

Worse than this, at no time since Mr. Johnson became Secretary of Defense has he consulted the Chief of Naval Operations about the matter nor has he given the Secretary of the Navy, John L. Sullivan, a chance to talk with him about it.

This merely confirms what has been suspected ever since Mr. Johnson took office—namely, that he came with preconceived judgments and did not approach the problems with an open mind. No man now should be given the powers which have just been asked of Congress for the Secretary of Defense after such a flagrant example of arbitrariness has been revealed.

It is not the halting of work on the aircraft carrier which is so important. It is the basic principle which is at stake.

For if, by a stroke of the pen, the Secretary of Defense can ignore the statutes of Congress, he can overnight ask for a vote from the Joint Chiefs of Staff on whether the Marine Corps shall be absorbed in the Army and whether the naval air arm should be absorbed in the land-based air forces and these steps really could mean the weakening of the defense of the United States.

This is not unification but disintegration. The blow that has been struck at the morale of the Navy will be felt throughout that service. All eyes had been fixed on the Secretary of Defense to see how he would handle the carrier issue. He was, however, not even graceful in his disposal of a difficult problem. He did not give either the Secretary of the Navy or the Chief of Naval Operations the courtesy of a personal conference.

SULLIVAN'S SITUATION

It is difficult to see how Secretary Sullivan can continue in office or how any self-respecting man can accept office as his successor if he is to learn of important decisions affecting his department by reading about them in the press. It is difficult to see how the Joint Chiefs of Staff is to function effectively hereafter without a specific definition of its duties. For otherwise, the Navy head, for instance, will be called on to decide how many tanks the Ground Forces shall have and whether B-36's shall or shall not be built in quantity and other details of the weapons desired by other armed services with which the Navy is not familiar.

The vote by the JCS was two to one—with the Army and Air Force chiefs voting against the Navy. Neither the Army chief nor Air Force chief had a top command in the Pacific or saw a large-scale naval war. The carrier problem is a technical matter in which the Navy is expert. It won the war against Japan largely by naval carrier action.

The only solution is to let each armed service specialize in its own way, each helping the other on joint missions as worked out already in the famous Key West agreement which was unanimous. This can be accomplished only if, after a lump sum is decided on as a total for all services, the right of each service to use to the best of its ability the money allotted to it will not be impaired. If the Navy's appropriation had been cut in half recently, it still would have preferred to develop the new aircraft carrier because it believes that weapon is vital to naval operations and to antisubmarine warfare. It is a sad and tragic story which should be fully aired in Congress so that the American people will know the whole truth.

Mr. KELLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Chairman, on July 5, 1935, the Congress passed the National Labor Relations Act of 1935—the so-called Wagner Act. The stated purpose of that act was to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, and for other purposes. The act contained provisions for the organization of employees into labor organizations for the purpose of collective bargaining, defined unfair labor practices of employers, established a National Labor Relations Board with investigatory and enforcement powers, and provided for judicial review of orders of the Board.

The Wagner Act continued in effect until the Labor-Management Relations Act, 1947—the so-called Taft-Hartley Act—which was passed by the Congress on June 23, 1947, and became effective on August 22, 1947.

The stated purpose of the Taft-Hartley Act was to amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes.

The Taft-Hartley Act enlarged the National Labor Relations Board to five members, provided that employees may refrain from labor activities, defined unfair labor practices of labor organizations, modified procedures of the Board, established an independent agency—the Federal Mediation and Conciliation Service—to assist in the settlement of labor disputes, provided machinery to function in connection with strikes imperiling the national health or safety, contained provisions for suits by or against labor organizations and provisions for boycott and other unlawful combinations, prohibited labor organizations from making political contributions, and created a Joint Congressional Committee on Labor-Management to study the subject.

On January 5, 1949, the President in his message on the State of the Union stated that the Taft-Hartley Act should be repealed and added:

> The Wagner Act should be reenacted. However, certain improvements, which I recommended to the Congress 2 years ago, are needed. Jurisdictional strikes and unjustifiable secondary boycotts should be prohibited. The use of economic force to decide issues arising out of the interpretation of existing contracts should be prevented. Without endangering our democratic freedoms, means should be provided for settling or preventing strikes in vital industries which affect the public interest.
>
> The Department of Labor should be rebuilt and strengthened and those units properly belonging within that Department should be placed in it.

The present Taft-Hartley Labor Act was conceived in a punitive spirit. It is not fit for piecemeal correction. It is an offense to our democratic processes. The present labor law has not reduced strikes. It has merely loaded the legal scales against unions, it has exposed their treasuries to harassing suits. It has had only a limited effect on reducing Communist influence in unions. The non-Communist affidavit sections of the act that have been introduced into our law are a dangerous menace and a definite threat to our liberties.

The proposed bill (H. R. 2032) will protect every legitimate public interest. It would continue to protect employers against minor but generally irritating union practices. And it would rid the country of the anti-union spirit of Taft-Hartley.

The proposed bill would abolish the specific legislative sanctions for injunctions to deal with so-called national paralysis strikes. It would eliminate Taft-Hartley provisions abolishing the closed shop, limiting the union shop and absolutely banning all secondary boycotts. It would restore to unions the right to bargain freely for a full closed shop and would repeal the Taft-Hartley provisions expressly inviting State laws against union security more drastic even than Taft-Hartley.

Organized labor is clearly subject to appropriate regulation by Congress. But Taft-Hartley is not the base from which to start.

The Taft-Hartley bill is intertwined, interdependent, one section upon another, and interrelated. So that to try to amend Taft-Hartley without full repeal would lead to a very confusing, contradictory, and extra legal labor law, almost inconceivably unworkable.

President Philip Murray, of the CIO, branded the original Wood bill as being more viciously repressive of labor's basic

rights than the Taft-Hartley Act itself. The gentleman from Georgia, Congressman WOOD, has now revised his original bill purportedly to meet some of the objections of labor to the original draft. An analysis of the revised bill, however, demonstrates that the present Wood bill, H. R. 4290, still reenacts most of the substantive provisions of the Taft-Hartley Act and in several important particulars strengthens Taft-Hartley provisions to make them even more objectionable to labor. No one who reads the Wood bill, H. R. 4290, will be deceived by the language which purports to repeal the Taft-Hartley Act. This statement in the bill is mere sophistry. The Wood bill is the Taft-Hartley Act plus additional anti-labor prohibitions. The few concessions in the Wood bill purporting to eliminate or change Taft-Hartley provisions are inconsequential and insubstantial. They constitute window dressing which will deceive no one.

Any vote that may be cast for the Wood bill is a vote against labor and against the public interest.

The following is an analysis of the salient provisions of the revised Wood bill, H. R. 4290:

First. The discretionary right of the general counsel of the NLRB to obtain injunctions is retained and in fact enlarged by permitting injunctions to issue merely upon a filing of charges that an unfair labor practice has been committed and without investigation, proof, or hearings. This would extend rather than curtail government-by-injunction which is conceded to be one of the outstanding abuses of the Taft-Hartley Act. Under this provision the Norris-LaGuardia Act would become a virtual nullity.

Second. The disenfranchisement of economic strikers imposed by the Taft-Hartley Act, and conceded even by Senator TAFT to be unjust, is substantially retained in the Wood bill through the device of permitting economic strikers to vote only if they are not replaced 90 days or more before the election. Obviously, employers by delaying petitioning for election until 90 days after the hiring of strikebreakers can still effectively prevent economic strikers from voting in Labor Board elections.

Third. The Taft-Hartley Act language which has been interpreted to prevent peaceful picketing by labor unions is retained by the provision of the Wood bill prohibiting restraint or coercion by unions.

Fourth. The ban on secondary boycotts provided in Taft-Hartley is modified only to a very limited extent. The modification permits a union, if its collective agreement so provides, to refuse to work on struck goods where the striking employees are members of the same union. Most justifiable economic boycotts are, therefore, still prohibited. The provision of the Taft-Hartley Act making it mandatory for the general counsel to seek injunctions in secondary-boycott cases is modified to give the general counsel discretion whether to seek such injunctions. But as pointed out above, this discretionary right is extended to permit injunctions to be issued merely upon the filing of charges alleging the union has committed this or any other type of alleged unfair labor practice.

Fifth. Unions continue to be subject to unwarranted lawsuits in the Federal courts, as permitted by Taft-Hartley.

Sixth. The check-off provisions of the Taft-Hartley Act are made more restrictive by making it necessary to procure new check-off authorization cards each year, thus burdening unions with this additional unnecessary administrative burden not now required under Taft-Hartley which permits automatically renewable check-off cards.

Seventh. While the Wood bill purports to eliminate the Taft-Hartley requirement for a union-shop authorization election it provides that 30 percent of the employees can petition for an election to prohibit a union shop and retains most of the other complicated Taft-Hartley election procedures, including employer election petitions and decertification provisions.

Eighth. The Taft-Hartley Act permits discharge for nonmembership in a union under a union-shop agreement only if the employee was discharged from the union because of failure to pay dues. The Wood bill, while permitting discharge also for expulsion because of Communist affiliation or participating in a strike in violation of a contract, would not permit discharge for expulsion from the union because of antiunion activity, embezzlement of union funds, or other recognized intolerable practices.

Ninth. The Taft-Hartley provision making more restrictive State laws against union security superior to the Federal law is retained.

Tenth. The Wood bill would make illegal closed or union-shop agreements entered into prior to the Taft-Hartley Act and continuing for a term of years. Such agreements are prevalent in industries enjoying stable collective-bargaining relationships and their validity was recognized and preserved by Taft-Hartley. The Wood bill in this as in other respects goes beyond Taft-Hartley. Furthermore, the general prohibitions against all closed-shop contracts is retained although it is declared not to be an unfair labor practice for an employer "merely to notify a union of opportunities for employment." This vague language does not realistically meet the need of legalizing the hiring hall and other similar forms of union security.

Eleventh. Taft-Hartley restrictions on collective bargaining in relation to welfare funds are preserved.

Twelfth. The Government's power to to seek injunctions in national emergency strikes is broadened by providing for the issuance of such injunctions even before the appointment of an emergency board rather than as in Taft-Hartley after such appointment.

Thirteenth. The agency definition of the Taft-Hartley Act under which international and local unions have been held responsible for acts not actually authorized or ratified is retained.

Fourteenth. The Taft-Hartley restriction on political contributions and expenditures by labor unions is retained.

Fifteenth. The so-called free-speech provision of Taft-Hartley which goes far beyond the legitimate protection of the constitutional right of employers to free speech is retained.

Sixteenth. The Wood bill, like the Taft-Hartley, would preserve the general counsel of the NLRB as a labor czar by continuing the present separation of powers as between the Board and the general counsel first introduced in the Taft-Hartley Act. This is contrary to the unanimous expert opinion that the NLRB, like all other similar administrative agencies should be restored to the procedures prescribed in the Administrative Procedures Act.

Seventeenth. Like Taft-Hartley, the Wood bill provides for a separate Conciliation Service rather than for the return of the Conciliation Service to the Department of Labor where it properly belongs.

Eighteenth. Numerous other provisions of the Wood bill are Taft-Hartley provisions like the individual-grievance clause, the exclusion of supervisors from the protection of the act, the jurisdictional-dispute section which, in fact, is made more unworkable by limiting the opportunities for parties to settle their own disputes and the non-Communist-affidavit requirement which is enlarged to require such affidavits by employers as well as unions.

Now no amount of apology or any number of alibis will only serve to further confuse the membership of this body. You have a clear mandate to remedy an abominable situation. I call upon you to exercise that right.

Mr. KELLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. DELANEY].

Mr. DELANEY. Mr. Chairman, this Congress has a responsibility to the people which it intends to fulfill. In the elections of last November 2, the people were given a clear choice in the important matter of labor legislation. One major party, in its platform, endorsed the Taft-Hartley Act and called for its continuance. The other major party, in its platform, came out unconditionally for the repeal of this particular statute. The issue was also clearly drawn in the campaign addresses of the candidates of the respective parties.

On November 3, when the votes were counted, the preferences of the people became known to the Nation and the world. The American people had elected the Presidential candidate who opposed the Taft-Hartley Act. At the same time the electorate sent into oblivion members of the Eightieth Congress who endorsed the Taft-Hartley Act, choosing in their stead legislators pledged to repeal.

The facts were placed clearly before the American people in the campaign of 1948. The issue was sharply drawn. Then, on election day, the people spoke. We in this House are representatives of the people. They have given us their mandate. It is a clear and undeniable mandate. We must carry it out or else stand convicted of a breach of faith.

I am sure that the overwhelming majority of the Members of this House, as sincere believers in the democratic process, feel as I do that the Congress desires to carry out this mandate of the people. And I am equally sure that many

members of the Republican Party, although their platform favored retention of the Taft-Hartley Act, will vote in favor of the bill now before us. For the people's mandate expressed on November 2 last is a mandate to the Eighty-first Congress as a whole—to all Members of the House and Senate alike. It cannot be denied, however, that the obligation is particularly emphatic in the case of the Democratic Members of the present Congress. Let it never be forgotten by any Member of this House in this month of April 1949, that we solemnly pledged, by the mere act of running for election under the Democratic standard, that we would uphold and carry into execution the provisions of the platform. The provision of that platform which binds us and concerns us now is the provision calling for the repeal of the Taft-Hartley Act.

The Taft-Hartley Act has been a malicious law. It has done grave harm in the 2 years that it has been on the books. Its chief injury has been in the breeding of bitter resentment among the tens of millions of patriotic citizens who are classified as wage earners. The working people of the Nation, who sacrificed so much and contributed so tremendously to our victory in the recent war, feel that they have been rewarded for their sacrifices by being slapped in the face. The working people are convinced that the Taft-Hartley Act, while ostensibly the creation of Mr. TAFT, Mr. Hartley, and like-minded legislators of the late and unlamented Eightieth Congress, was actually drafted by the gang of high-priced corporation lawyers sent to Washington in 1947 by the National Association of Manufacturers and its allies.

The Taft-Hartley Act is regarded by the workers of the Nation as a millstone around their necks. Instead of having the opportunity to strive for the redress of grievances and for a somewhat fairer share of the wealth they produce, the workers of this country, thanks to the Taft-Hartley Act, find that the scales are weighted all the more heavily in favor of the employers.

This country has come a long, long way since the time of Judge Gary and others of similar convictions. No longer is it believed beneficial to the Nation to have men and women working for a miserable pittance. No matter where one goes, whether it be among industrialists or wage earners, economists, or lawmakers, there is general agreement that the United States can be economically strong and can continue to progress only if purchasing power among the millions is kept at a high level. We can produce so much of every conceivable commodity that it is imperative that we make all the people of our Nation, not merely the wealthy and the well-to-do, capable of becoming customers for these commodities.

Experience has shown that we can look to only one institution to bring increased purchasing power to the tens of millions of average working people of our Nation. That institution is the trade-union. Because the trade-union performs this most essential function in our economy, labor organization deserves to be protected and encouraged. Everyone benefits when there is adequate purchasing power in the possession of the people. The farmer benefits because the worker with money in his pocket can buy an adequate supply of what the farmer produces. The merchants benefit in a similar manner. The doctor and the dentist, the manufacturer of shoes, and the manufacturer of automobiles, indeed every person or company with something to sell benefits when mass purchasing power is kept at a high level.

This is so elementary that it ought not to be necessary to take time to spell it out. Unfortunately, there are people who overlook this basic factor. The authors of the Taft-Hartley Act overlooked it. As a result of the vicious law which they wrote and which the Eightieth Congress enacted over a Presidential veto, the purchasing power in the hands of the masses of our people is today inadequate to maintain prosperity in America. As everyone knows, the sales of shoes, hats, dresses, household furnishings, and a thousand and one other useful articles in the stores of our Nation have fallen off sharply. It is no secret that hundreds of factories around the country have this year closed down for varying periods, sometimes 1 week, sometimes 10 weeks or more, because the little people of the Nation just do not have the money to buy all the shoes and all the refrigerators and all the other commodities which we can produce and must sell.

This is the great harm which the Taft-Hartley Act has caused. If there had been no Taft-Hartley Act, the trade-unions of this country would have been able to go forward during the past 2 years. They would have been able to win added and necessary purchasing power for the working people of the Nation—the largest segment of people in our country at the present time. Instead, the unions have been compelled to fight hard and often at tremendous expense, as, for example, in the case of the typographical workers in Chicago, merely to keep from being driven back.

Well, the Taft-Hartley Act must go. That is the decision of the American people. That must also be, and I am confident that it will be, the decision of this House as well as of the Senate. The Taft-Hartley Act is a very bad law and we shall rid ourselves of it.

What is to take its place?

The House now has before it an excellent bill. This bill is H. R. 2032, reported favorably after careful consideration by the Committee on Education and Labor. H. R. 2032, which is usually referred to as the Lesinski bill, is now before us, and I strongly urge its passage by the House as it is written.

The Lesinski bill does three necessary and very constructive things. First, it eliminates the one-sided, brutal Taft-Hartley Act. Secondly, it reenacts the National Labor Relations Act of 1935. Thirdly, it modifies and strengthens the statute of 1935 so as to make the proposed new law, which will be known when passed as the National Labor Relations Act of 1949, a model labor-management relations statute.

The Wall Street Journal, the Journal of Commerce, and the publications of the National Association of Manufacturers have unleashed a barrage of misrepresentation in regard to the Lesinski bill. At this late date, their false charges are clearly recognized for what they are. No intelligent Member of this House is going to be swayed by irresponsible and mendacious allegations against a splendid bill which emanate from such sources as the NAM and the journalistic mouthpieces of big business.

H. R. 2032 is a highly meritorious bill in that it does away with the monstrous Taft-Hartley Act and reenacts the Wagner Act. This is what the country wants and needs. Under the Lesinski bill wage earners will once again have the right to organize and bargain collectively without interference from their employers. Collective bargaining is the only sound means of attaining fair working conditions and fair wages.

The Wagner Act was a fair and constructive statute. It did not attempt to dictate and control every act and decision of the employers or the workers. It sought only to bring about an approach to equality of bargaining between workers and employers. This it achieved. And it achieved equality of bargaining, so desirable in the public interest, with a minimum—an absolute minimum—of interference.

The Taft-Hartley Act is a club in perpetual motion against the workers and their organizations, which they formed in order to protect themselves and further their economic interests. The Taft-Hartley Act has a thousand and one prohibitions and hobbling and interfering features. "Don't do that, don't do this," says the Taft-Hartley Act. "You can't do that. Oh, no, that's prohibited. As for this, that is absolutely forbidden. No, you daren't do that." And so on and so forth. Governmental interference carried to the *n*th degree—and all this, oddly enough, at the behest of an association—the NAM—and a political party—the Republican Party—which have long cried out loudly against this self-same evil.

The Wagner Act affords a refreshing contrast to the Taft-Hartley Act. In the Wagner Act there was the absolute minimum amount of interference which history had shown to be essential. The Wagner Act simply says:

First. Employers must not use unfair labor practices that interfere with the freedom of workers to organize.

Second. Employers are obliged to bargain with the representatives of their employees.

The Lesinski bill reenacts the Wagner Act. It also provides for the return to the safeguards of the Norris-LaGuardia Act. The Norris-LaGuardia Act was passed in 1932. It was passed—by a Republican Congress, incidentally—because of the evil of the use of injunctions in labor-management relations.

Now, I have said that the Lesinski bill amends the Wagner Act in certain respects. There are several amendments and, in my judgment, as in the judgment of the Committee on Education and Labor, these are wholly constructive. I shall refer to these amendments a little later and explain just what they are.

The Lesinski bill is the type of bill which deserves to have the support of fair-minded legislators, of Members of this House who believe in justice not only for the employer but also for the man and woman who must work in order to live.

The Lesinski bill embodies the principles of justice in the realm of labor relations. It encourages free collective bargaining. It is designed to afford an opportunity to workers to secure a fair return for their labor. It requires the employer to play the game according to rules that are fair and square.

The Taft-Hartley Act, in sharp contrast, merely has given lip service to these principles of fair play. Actually, it was written to encourage antilabor employers to fight the organization of labor and to undermine genuine collective bargaining by ranging the power of government on the side of the antilabor employer.

Until the passage of the Taft-Hartley Act in 1947, the policy of this Nation for 15 years had been the encouragement of free collective bargaining. This policy had served us well. It was a major factor in pulling the Nation out of the worst economic depression in history.

It is necessary that the Federal Government shall play a part in the effectuation of the policy of encouraging genuine collective bargaining. This is dictated by the realities of modern economic life. However, while playing its necessary part, it is imperative, if we are not to flout the basic principles of our democracy, that the amount of Government interference and coercion should be at a minimum.

These requirements of a satisfactory labor-relations law are fulfilled completely in the Lesinski bill, now before us.

Since 1935, when the Wagner Act went into effect, experience has demonstrated the need for certain changes. The President has pointed this out at various times in his messages and reports to the Congress. H. R. 2032, therefore, in addition to repealing the Taft-Hartley Act and reenacting the Wagner Act, embodies the amendments necessary to bring the Wagner Act up to date.

Let us go through the bill to see just what it contains. This is a very important piece of legislation. It is, therefore, essential that we should take the time necessary to analyze and understand it thoroughly.

There are four titles. Title I, section 101, provides for the repeal of the Taft-Hartley Act. Section 102 reenacts the National Labor Relations Act of 1935 as it existed prior to Taft-Hartley.

Section 103 of title I continues the National Labor Relations Board as a five-member tribunal. Provision is also made for the continuation of the present panel system. It has been found that the work of the Board is accomplished more expeditiously with five members than under the three-member set-up established by the Wagner Act. Another change is an increase in the salaries of Board members from $12,000 a year to $17,500 a year.

Title I, section 106, deals with the subject of unjustifiable secondary boycotts and jurisdictional disputes. The Lesinski bill has been written in accordance with the principle that only those employer or union practices which prevent or interfere with free collective bargaining should be prohibited. Disputes between two or more unions over which one has jurisdiction over the performance of a particular work task do not promote free collective bargaining. If an employer is guilty of an unfair practice when he deals with a union other than the one chosen by the majority of employees, it should likewise be an unfair practice for a union to compel him to do this.

Therefore, the Lesinski bill provides certain amendments. These amendments make it an unfair labor practice for a labor organization to cause or attempt to cause employees to engage in a secondary boycott or a strike for the following purposes: First, to compel an employer to bargain with one union if another has been certified by the Labor Relations Board, or if the employer is required by an order of the Board to bargain with another union, or if the employer already has a contract with another union and a question of representation cannot appropriately be raised under the act; second, to compel an employer to assign certain work tasks contrary to an award issued by the Labor Relations Board under the proposed amendment to section 9 (d) of the Wagner Act.

There is no blanket prohibition of all types of secondary boycotts in the Lesinski bill, as there is in the Taft-Hartley Act. This provision in the Taft-Hartley Act has been used ruthlessly to prevent unions from using legitimate measures in the defense of wage standards and conditions of work.

The Lesinski bill makes provision for the appointment of arbitrators in jurisdictional-dispute cases. Either the Board or an arbitrator named by the Board may make an award in a jurisdictional dispute.

Section 107 of title I amends section 8 (3) of the Wagner Act to permit employers to make collective-bargaining agreements providing for the closed shop or other forms of union security or for the check-off of union dues and assessments, notwithstanding the provisions of State laws. The purpose of this provision is to eliminate the subjection of employers and unions in interstate industries to conflicting rules.

Section 107 will remove the illegality of closed-shop agreements introduced by the obnoxious Taft-Hartley Act. The stabilizing influence of the closed shop in the printing industry, in garment manufacture, in construction, and various other industries, is well established. Section 107 has the effect of enabling employers and unions once again to bargain freely and to agree upon such union-security provisions as they find mutually desirable.

In this connection it is appropriate to refer to a statement made by Mr. Paul M. Geary, executive vice president, National Electrical Contractors Association, when he appeared before the Committee on Labor and Public Welfare of the Senate. Mr. Geary said:

> As employers, we feel that legislation outlawing the closed shop impairs the employer's right of contract. If an employer prefers to deal only with a group of men who have sold him their worth and responsibility, should he not be permitted to do so? To ban the closed shop is merely to restrict further the employer's right to bargain and to contract with persons of his own choice.

Title II of the Lesinski bill deals with mediation and arbitration. This title provides for the return of the United States Conciliation Service to the Department of Labor, which is where it obviously belongs. The bill emphasizes the function of the Conciliation Service as an aid to collective bargaining and industrial peace and by stressing the need for the Service to assist the parties in settling their differences voluntarily through arbitration as well as through the aid of mediation and conciliation.

Title III of the Lesinski bill deals with situations which arise when work stoppages occur in vital industries which affect the public interest. Wherever the President finds that a national emergency is threatened or exists in a vital industry which affects the public interest, he is to issue a proclamation and appoint an emergency board.

This board must make its report to the President within 25 days after the issuance of the proclamation. The report will include both the board's findings and its recommendations. The report will be transmitted to both parties to the dispute and it will also be made public.

A total cooling-off period of 30 days is provided—25 days during which the emergency board is making its investigation and report and five additional days after the report has been submitted.

As is well known, the force of public opinion is a mighty force indeed. The procedure established under the Lesinski bill makes it possible to secure from a group of impartial and respected experts findings and recommendations upon the basis of which an informed opinion can be reached. By directing the emergency board to make recommendations as well as findings, both of which are to be made public, this national emergency provision of the Lesinski bill invokes the tremendous power of public opinion as a stimulus to agreement between the paries.

Title IV is the last title of the Lesinski bill. It is entitled "Miscellaneous Provisions."

Section 401 restores in full force and effect the prohibitions in the Norris-LaGuardia Act and the Clayton Act against the issuance of labor injunctions.

Section 402 deals with political contributions. It restores the political-contributions provision of the Corrupt Practices Act as it existed prior to the Taft-Hartley Act. It is no more than right that this correction should be made. Under the Taft-Hartley Act, labor organizations were singled out as the one

type of volutary unincorporated association whose political activities should be restricted. This ban was not applied to voluntary organizations representing farmers, veterans, businessmen, or other groups.

H. R. 2032, which is now before the House, is identical with S. 249, the Thomas bill, which has been reported favorably to the other Chamber. H. R. 2032 has been endorsed by the Nation's foremost authorities on labor-management relations. For example, Dr. William M. Leiserson has spoken highly of this bill. Dr. Leiserson is impartial. He knows whereof he speaks. He was formerly a member of the National Labor Relations Board and chairman of the National Mediation Board. This is what he said:

I think this is the kind of bill that we need at this time.

The Lesinski bill is a bill which carries out the mandate of the American people. It carries out the recommendations of the President in his message on the state of the Union, delivered last January 5. The need for this bill has been made clear in the evidence presented by witnesses who testified before the committee when the Lesinski bill was under consideration there.

The sooner there is a restoration of harmony and mutual respect between the parties in the realm of labor-management relations, the better it will be for all Americans—for employers as well as workers, for farmers, for businessmen, for merchants and, indeed, for all who participate in our economy. The sincere practice of collective bargaining, with both labor and employers satisfied that the Federal law treats both sides equitably, will enable our country to go forward once again.

The Lesinski bill is fair to labor, fair to employers, and fair to the country as a whole. It is an excellent bill in every respect. Its prompt enactment would be clearly in the national interest.

For all of these reasons, I earnestly call upon the Members of this House to brush aside the last-minute substitute proposals of those who wish to nullify the popular will and I strongly urge that the Members proceed as promptly as possible to the passage of the constructive, honest, and fair Lesinski bill.

Mr. LESINSKI. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 2032) to repeal the Labor-Management Relations Act, 1947, to reenact the National Labor Relations Act of 1935, and for other purposes, had come to no resolution thereon.

CHANGE OF VOTE

Mr. WIER. Mr. Speaker, on the roll-call vote today on the rule, under misapprehension and misinformation, I voted "nay." I ask unanimous consent that the RECORD show I intended to vote "aye."

The SPEAKER. The gentleman's statement will stand. The vote itself cannot be changed at this time.

EXTENSION OF REMARKS

Mr. LUCAS. Mr. Speaker, earlier in the day I sought and obtained unanimous consent to extend my remarks in the RECORD and include a chart. I have been informed by the Public Printer that it will cost $300 to print this chart. I ask unanimous consent that notwithstanding the additional cost it may be printed.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. REED of New York asked and was granted permission to extend his remarks in the RECORD in five instances and in each to include extraneous matter.

Mr. JAVITS asked and was granted permission to extend his remarks in the Appendix of the RECORD in four instances and include addresses and newspaper material.

Mr. BURKE asked and was granted permission to extend the remarks he made in Committee of the Whole and to include certain material mentioned.

Mr. DAVENPORT asked and was granted permission to extend his remarks in the Appendix of the RECORD.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CLEVENGER (at the request of Mr. JENKINS), for an indefinite period, on account of illness.

To Mr. THOMPSON until April 27, on account of official business.

ADJOURNMENT

Mr. LESINSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 32 minutes p. m.), the House adjourned until tomorrow, Wednesday, April 27, 1949, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

563. A letter from the Secretary of Defense, transmitting a letter by the Secretary of the Army recommending enactment of a proposed draft of legislation entitled "A bill to provide for certain adjustments on the promotion list of the Medical Service Corps of the Regular Army"; to the Committee on Armed Services.

564. A letter from the Attorney General, transmitting the voluntary plan for the allocation of steel products for the requirements of Federal aeronautical agencies; to the Committee on Banking and Currency.

565. A letter from the Attorney General, transmitting the voluntary plan for the allocation of steel products for baseboard radiation; to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOLEY: Committee on Agriculture. H. R. 2514. A bill to enable the Secretary of Agriculture to extend financial assistance to homestead entrymen, and for other purposes; with amendments (Rept. No. 478). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 3181. A bill to provide for more effective conservation in the arid and semiarid areas of the United States, and for other purposes; without amendment (Rept. No. 479). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 3717. A bill to repeal the act of July 24, 1946, relating to the Swan Island Animal Quarantine Station; without amendment (Rept. No. 480). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 2906. A bill to provide a 1 year's extension of time for the disposition of farm labor camps to public or semipublic agencies or nonprofit associations of farmers; without amendment (Rept. No. 481). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 4081. A bill to amend section 359 of the Agricultural Adjustment Act of 1938, as amended, in order to permit the delivery of excess peanuts to agencies designated by the Secretary of Agriculture and to define the term "cooperator" with respect to price supports for peanuts, and for other purposes; without amendment (Rept. No. 482). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. H. R. 748. A bill for the relief of Louis Esposito; without amendment (Rept. No. 473). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H. R. 1303. A bill for the relief of Dr. Elias Stavropoulos, his wife, and daughter; with amendments (Rept. No. 474). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H. R. 3458. A bill for the relief of Celeste Iris Maeda; without amendment (Rept. No. 475). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H. R. 3467. A bill for the relief of Franz Eugene Laub; without amendment (Rept. No. 476). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H. R. 3497. A bill conferring United States citizenship posthumously upon Vaso B. Benderach; without amendment (Rept. No. 477). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of Ohio:

H. R. 4346. A bill to provide Federal aid to the States for the contruction of public school facilities; to the Committee on Education and Labor.

By Mr. CAVALCANTE:

H. R. 4347. A bill to amend the Nationality Act of 1940 to permit certain former citizens of the United States to regain their citizenship; to the Committee on the Judiciary.

By Mr. JOHNSON:

H. R. 4348. A bill to establish a Federal Commission on Services for the Physically Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

By Mr. MILLER of Nebraska (by request):

H. R. 4349. A bill to provide that unclaimed animals lawfully impounded in the District of Columbia be made available to educational, scientific, and governmental institutions licensed under this act shall be made available for scientific purposes; to the Committee on the District of Columbia.

By Mr. SMITH of Virginia:

H. R. 4350. A bill to name the twin highway bridges over the Potomac River in the District of Columbia the "George Washington Memorial Bridge" and the "Thomas Jefferson Memorial Bridge"; to the Committee on the District of Columbia.

By Mr. STOCKMAN:

H. R. 4351. A bill authorizing and directing the Secretary of War to convey to the port of Cascade Locks, Oreg., certain lands for municipal or port purposes; to the Committee on Armed Services.

By Mr. COUDERT:

H. R. 4352. A bill to provide for the general welfare by enabling the several States to make more adequate provision for the health of school children through the development of school health services for the prevention, diagnosis, and treatment of physical and mental defects and conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. MORRIS (by request):

H. R. 4353. A bill to amend section 2 of the act of January 29, 1942 (56 Stat. 21), relating to the refund of taxes illegally paid by Indian citizens; to the Committee on Public Lands.

By Mr. CELLER:

H. R. 4354. A bill to amend the Nationality Act of 1940; to the Committee on the Judiciary.

By Mr. HERLONG:

H. R. 4355. A bill to provide for lump-sum payments to certain Reserve officers assigned to duty as naval air navigators or naval air observers, and for other purposes; to the Committee on Armed Services.

By Mr. KEARNS:

H. R. 4356. A bill to make it an offense against the United States to use the flag of the United States for advertising purposes, or to mutilate, defile, or cast contempt upon the flag of the United States; to the Committee on the Judiciary.

By Mr. STIGLER:

H. R. 4357. A bill to authorize the Secretary of the Interior to procure by contract in the open market and in the manner common among businessmen, the services of engineers, engineering associations, or organizations needed or required in connection with the acquisition or construction of public works; to the Committee on Public Lands.

By Mr. WINSTEAD:

H. R. 4358. A bill to authorize the use of oleomargarine by the armed forces; to the Committee on Armed Services.

By Mr. BEALL:

H. R. 4359. A bill to amend Public Law 702, Eightieth Congress, to extend assistance to veterans with certain service-connected disability, involving the loss of both lower extremities, in acquiring specially adapted housing which they require by reason of the nature of their service-connected disability; to the Committee on Veterans' Affairs.

By Mr. WELCH of California:

H. R. 4360. A bill authorizing the Secretary of the Army to convey certain lands to the city and county of San Francisco; to the Committee on Armed Services.

By Mr. WILSON of Oklahoma:

H. R. 4361. A bill to supplement the Federal-Aid Act approved July 11, 1916, as amended and supplemented, to authorize regular appropriations for the construction of rural local roads, and for other purposes; to the Committee on Public Works.

By Mr. BRAMBLETT:

H. R. 4362. A bill providing for the conveyance to the Franciscan Fathers of California approximately 40 acres of land located on the Hunter Liggett Military Reservation, Monterey County, Calif.; to the Committee on Armed Services.

By Mr. KEOGH:

H. J. Res. 229. Joint resolution proposing an amendment to the Constitution to empower Congress to regulate the use and ownership of trade-marks; to the Committee on the Judiciary.

By Mr. DENTON:

H. Res. 194. Resolution for the relief of Mrs. Mary Leimgruber; to the Committee on House Administration.

By Mr. WHEELER:

H. Res. 195. Resolution for the relief of Doris Batey Cox; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States relative to appropriations for the propagation of fish in Arizona; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to appropriate the full $250,000 recommended by the budget for the fiscal year ending June 30, 1950, and that thereafter a minimum of at least $250,000 be provided annually in the appropriations to the Department of the Interior until the current conditions have been corrected; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to the work of Dr. Ralph Johnson Bunche in bringing about a peaceful settlement of the Arabian-Israeli dispute; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to Senate Joint Resolutions 7 and 21, to enact legislation relating to the disposal of temporary housing; and memorializing the Federal Department of the Interior and the Bureau of Reclamation of the Federal Government in relation to reimbursing the State of California and the reconstruction of flood-control works on the Sacramento River; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of Colorado, memorializing the President and the Congress of the United States to enact into law S. 529, which provides for the establishment of a Veterans' Employment and National Economic Development Corporation; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Colorado, memorializing the President and the Congress of the United States to enact into law H. R. 1549, which provides aid and assistance for veterans in the settlement of Alaska; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of Colorado, memorializing the President and the Congress of the United States relative to making a full and thorough investigation of the possibilities of obtaining for the State of Colorado a liquid-fuel plant or plants; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of Iowa, memorializing the President and the Congress of the United States to require price support of eggs at the top grade, including frozen and shell eggs, with deductions for under-grade eggs, and to eliminate the present practice of supporting only the price of dry eggs; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Iowa, memorializing the President and the Congress of the United States to enact the necessary legislation to return the grounds and buildings of the Fort Des Moines Army post to the State of Iowa; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of Maine, memorializing the President and the Congress of the United States to oppose all legislation designed to establish a single Federal Reserve force and to retain intact the National Guard as it is now organized, thus reserving to the States the controls provided by the Constitution and insuring that the National Guard will be at the disposal of the State in time of peace; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of Massachusetts, urging prevention of eviction of veterans and their families from Devencrest in the town of Ayer; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of Massachusetts, urging enactment of legislation to provide compensation for employees of the Division of Employment Security of Massachusetts for certain services rendered by them to the Federal Government; to the Committee on Post Office and Civil Service.

Also, memorial of the Legislature of the State of Michigan, protesting the action of Gen. Lucius D. Clay in commuting the sentence of Ilse Koch and requesting the proper authorities in Washington to have the matter reviewed in order that the ends of justice may be served; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of Michigan, memorializing the President and the Congress of the United States to direct the United States mint to strike off a commemorative silver half dollar in commemoration of a century of railroad operation out of Chicago, Ill.; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Minnesota, memorializing the President and the Congress of the United States to extend the rights and privileges of veterans of World War II under title V of the Servicemen's Readjustment Act of 1944; to the Committee on Veterans' Affairs.

Also, memorial of the Legislature of the State of Minnesota, memorializing the President and the Congress of the United States to repeal section 1650 of the Internal Revenue Code, relating to excise taxes on furs, and to amend H. R. 1211 to provide suitable import quotas on furs to protect the domestic producer; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Missouri, memorializing the President and the Congress of the United States relative to condemning the report of the Committee on Civilian Components recommending the establishment of a single Federal Reserve or militia as unconstitutional, and to resist this effort to centralize the military power in Washington; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of New York, memorializing the President and the Congress of the United States to pass appropriate legislation effecting the disclosure to the tax administrators of the

States taxing cigarettes by shippers thereof in non-cigarette-taxing States of shipments of cigarettes to other than State-licensed distributors in cigarette-taxing States; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of New York, memorializing the President and the Congress of the United States to pass appropriate legislation effecting the disclosure to the tax administrators of the States taxing cigarettes by shippers thereof in non-cigarette-taxing States of shipments of cigarettes to other than State-licensed distributors in cigarette-taxing States; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Oklahoma, memorializing the President and the Congress of the United States to provide funds for carrying out and performing items 1 to 13, inclusive, of the interim survey report for the Arkansas River and tributaries of the lower Arkansas River watershed made by the Soil Conservation Service in conjunction with the United States Forest Service; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Oregon, memorializing the President and the Congress of the United States relative to keeping the National Guard of the United States intact; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of Oregon, memorializing the President and the Congress of the United States to enact legislation and to make appropriations for the development of a harbor suitable and sufficient for ocean shipping at the mouth of the Rogue River on the Oregon coast in Curry County, Oreg.; to the Committee on Public Works.

Also, memorial of the Legislature of the State of Tennessee, memorializing the President and the Congress of the United States to enact a bill requiring shippers of cigarettes in interstate commerce to furnish to the taxing authority of the State to which shipped a copy of the invoice on each shipment; to the Committee on Ways and Means.

Also, memorial of the Legislature of the Territory of Alaska, memorializing the President and the Congress of the United States relative to urging appropriation of Federal funds to assist in Ketchikan road project; to the Committee on Appropriations.

Also, memorial of the Legislature of the Territory of Alaska, memorializing the President and the Congress of the United States relative to requesting legislation to give the people of Alaska the powers of initiative and referendum and recall; to the Committee on Public Lands.

Also, memorial of the Legislature of the Territory of Alaska, urging that Senate bill 533, Eighty-first Congress, not be enacted into law; to the Committee on Public Lands.

Also, memorial of the Legislature of the Territory of Alaska, urging that H. R. 976 and 2031 or other suitable legislation be enacted to stimulate the exploration, development, mining, production, and conservation of strategic and critical minerals and metals within the United States and Alaska; to the Committee on Public Lands.

Also, memorial of the Legislature of the Territory of Hawaii, requesting an appropriation of funds for the study, control, and eradication of fruitfly pests; to the Committee on Appropriations.

Also, memorial of the Legislature of the Territory of Hawaii, requesting the enactment of S. 566, a bill to fix the salaries of certain justices and judges of the Territory of Hawaii; to the Committee on the Judiciary.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to enact appropriate amendments of title 28 of the United States Code entitled "Judicial Code and Judiciary," to take effect upon the admission of Hawaii to statehood; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUCHINCLOSS:

H. R. 4363. A bill for the relief of Nora Toma Trabilsy; to the Committee on the Judiciary.

By Mr. BURLESON:

H. R. 4364. A bill for the relief of Mrs. Clarence F. Moore, John Robert Lusk 3d, J. R. Lusk, Sr., Gertrude Elizabeth Lusk, Mrs. Willie Pruitt, and Mrs. Billie John Bickle; to the Committee on the Judiciary.

By Mr. COUDERT:

H. R. 4365. A bill for the relief of Fe'R. Dumaguing; to the Committee on the Judiciary.

By Mr. DURHAM:

H. R. 4366. A bill for the relief of Pearson Remedy Co.; to the Committee on the Judiciary.

By Mr. GWINN:

H. R. 4367. A bill to authorize the cancellation of deportation proceedings in the case of Jose Joao Santo; to the Committee on the Judiciary.

H. R. 4368. A bill to authorize the cancellation of deportation proceedings in the case of Jose Casimero; to the Committee on the Judiciary.

By Mr. HERLONG:

H. R. 4369. A bill for the relief of Eugene F. Edwards; to the Committee on the Judiciary.

By Mr. HERTER:

H. R. 4370. A bill for the relief of May Hosken; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H. R. 4371. A bill for the relief of Shiro Takemura; to the Committee on the Judiciary.

By Mr. MILLER of California:

H. R. 4372. A bill for the relief of Bernadette Jones Marchbanks; to the Committee on the Judiciary.

By Mr. NIXON:

H. R. 4373. A bill for the relief of Ray. G. Schneyer and Dorothy J. Schneyer; to the Committee on the Judiciary.

By Mr. O'TOOLE:

H. R. 4374. A bill for the relief of Filipe Guerreiro; to the Committee on the Judiciary.

By Mr. JOSEPH L. PFEIFER:

H. R. 4375. A bill for the relief of Michele Belardi; to the Committee on the Judiciary.

By Mr. PHILLIPS of California:

H. R. 4376. A bill for the relief of Mrs. Anna M. D. Broughton; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H. R. 4377. A bill for the relief of Adelchi Colecchia; to the Committee on the Judiciary.

By Mr. STIGLER:

H. R. 4378. A bill for the relief of Andrew Wisniewski; to the Committee on the Judiciary.

By Mr. SUTTON:

H. R. 4379. A bill for the relief of Lacey C. Zapf; to the Committee on the Judiciary.

By Mr. WHITE of California:

H. R. 4380. A bill for the relief of Mrs. Agnes Emma Hay; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

655. By Mr. ASPINALL: Memorial of the Colorado State Legislature, memoralizing the Senators and Representatives in Congress from the State of Colorado, the Secretary of Agriculture, and the Regional Agricultural Credit Corporation concerning the granting of loans to members of the fur-farming industry in the State of Colorado; to the Committee on Agriculture.

656. By Mr. HESELTON: Petition of the City Council of the City of Pittsfield, favoring the establishment of October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

657. By Mr. MARTIN of Massachusetts: Memorial of the General Court of Massachusetts, urging prevention of eviction of veterans and their families from Devencrest in the town of Ayer; to the Committee on Armed Services.

658. Also, memorial of the General Court of Massachusetts, urging enactment of legislation to provide compensation for employees of the Division of Employment Security of Massachusetts for certain services rendered by them to the Federal Government; to the Committee on Post Office and Civil Service.

659. By Mr. MURDOCK: Memorial of the Arizona House of Representatives, relating to the propagation of fish; to the Committee on Appropriations.

660. Also, memorial of the mayor and City Council of the city of Mesa, Ariz., memorializing the Congress to pass, and the President to approve, the General Pulaski's Memorial Day resolution now pending in Congress; to the Committee on the Judiciary.

661. By Mr. NELSON: Memorial of the Senate and House of Representatives of the State of Maine, opposing all legislation designed to establish a single Federal Reserve force, and to retain the National Guard as it is now organized; to the Committee on Armed Services.

662. By Mr. RICH: Petition of Dr. Harvey L. Zwald and citizens of Eldred, McKean County, Pa., urging repeal of the 20-percent excise tax on toilet goods; to the Committee on Ways and Means.

663. By the SPEAKER: Petition of the president, Fifth Congressional District Conference of Townsend Clubs, Sanford, Fla., requesting passage of H. R. 2135 and 2136, known as the Townsend plan; to the Committee on Ways and Means

664. Also petition of Mrs. Fannie E. Thomas and others, Tampa, Fla., requesting passage of H. R. 2135 and 2136, known as the Townsend plan; to the Committee on Ways and Means.

SENATE

WEDNESDAY, APRIL 27, 1949

(Legislative day of Monday, April 11, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Bernard Braskamp, D. D., pastor of the Gunton-Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Most merciful and gracious God, grant that we may have the mind and mood of the Master as daily we seek to find a just and righteous solution to the problems of human relationships.

We pray that Thou wilt take our groping and faltering spirits and transform them into centers of light and power in the building of a finer social order. Kindle within us a keener sense of responsibility for the welfare and happiness of all mankind.

May we have the faith and the courage to believe in the coming of the Kingdom of God. May our vision of its splendor be so glorious that we shall make its consummation the goal of all our aspirations and endeavors.

Hear us in the name of the blessed King. Amen.